



**ERIC GIBSON**  
DIRECTOR

## County of San Diego

### DEPARTMENT OF PLANNING AND LAND USE

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October 1, 2009

### **CEQA Initial Study - Environmental Checklist Form (Based on the State CEQA Guidelines, Appendix G Rev. 10/04)**

1. Title; Project Number(s); Environmental Log Number:

Fall 2009 Zoning Ordinance Update; POD 09-009; ER Log No. 09-00-001

2. Lead agency name and address:

County of San Diego, Department of Planning and Land Use  
5201 Ruffin Road, Suite B,  
San Diego, CA 92123-1666

3. a. Contact Heather Steven, Land Use/Environmental Planner  
b. Phone number: (858) 495-5802  
c. E-mail: [heather.steven@sdcounty.ca.gov](mailto:heather.steven@sdcounty.ca.gov).

4. Project location:

The County of San Diego is bordered to the west by the Pacific Ocean, to the east by Imperial County, to the north by Orange and Riverside Counties, and to the south by Mexico. The project covers the unincorporated portions of the County of San Diego over which the County has land use jurisdiction.

5. Project Applicant name and address:

County of San Diego, Department of Planning and Land Use  
5201 Ruffin Road, Suite B, San Diego, California 92123

6. General Plan Designation

Community Plan:	All Community and Subregional Plan Areas
Land Use Designation:	Variable
Density:	Variable

7. Zoning
- |                          |          |
|--------------------------|----------|
| Use Regulation:          | Variable |
| Minimum Lot Size:        | Variable |
| Special Area Regulation: | Variable |

8. Description of project:

The project is an amendment to the San Diego County Zoning Ordinance to amend the applicability of the ordinance, to add Emergency Shelters as an allowed use, to make miscellaneous minor additions or amendments to the definitions, temporary use regulations and other miscellaneous regulations and make minor modifications and clarifications to various other regulations.

Proposed amendments and additions to the Zoning Ordinance consist of the following:

- Section 1006: would add that the Zoning Ordinance does not apply to the County during, immediately following or throughout the recovery efforts related to an emergency declared by the Governor of the State or by the Board of Supervisors.
- Section 1110: would add definitions for "Supportive Housing" and "Transitional Housing".
- Section 1205: would add Emergency Shelters to the Listing of Use Classifications, Civic Use Types and would add Transient Habitation: Rental Units to the Commercial Use Types.
- Section 1334: would add Emergency Shelters to the Civic Use Types.
- Section 1513: would consolidate Recycling Processing Facility, Wood and Green Materials, Light and Recycling Processing Facility, Wood and Green Materials, Heavy into one category by deleting the words "Light" and "Heavy".
- Section 2502: would amend this section to add Emergency Shelters to the Permitted Uses in the M50 Use Regulations.
- Section 2522: would amend this section to add Emergency Shelters to the Permitted Uses in the M52 Use Regulations and would remove "Automotive and Equipment: Sales/Rentals, Light Equipment" from the permitted uses.
- Section 2523: would amend this section to add "Automotive and Equipment: Sales/Rentals, Light Equipment" to the Permitted Uses Subject to Limitations to clarify that this use is subject to the enclosure regulations.
- Section 2542: would amend this section to add Emergency Shelters to the Permitted Uses in the M54 Use Regulations.
- Section 2545: would amend this section to add commercial use types that are allowed in the M54 Use regulations subject to a Major Use Permit and were inadvertently deleted by a previous ordinance amendment.

- Section 2582: would amend this section to add Emergency Shelters to the Permitted Uses in the M58 Use Regulations.
- Section 2703: would amend this section to remove Cottage Industries from the Permitted Uses Subject to Limitations in the A70 Use Regulations.
- Section 2704: would amend this section to add Cottage Industries to the Uses Subject to a Minor Use Permit in the A70 Use Regulations.
- Section 2875: would amend this section to state that Emergency Shelters are not allowed in the S87 Use Regulations (Uses Subject to a Major Use Permit).
- Section 2990: Use Matrix [pg. 1 of 6] would add 1334: Emergency Shelters to Civic Use Types and [pg. 2 of 6] would change the notation for "Automotive and Equipment: Sales/Rentals, Light Equipment" in the M52 Use Regulation from "permitted" to limitation "9" to clarify that this use is subject to the Enclosure Regulations.
- Section 4620: would amend the Permitted Exceptions to the Height Limit to include structures used to contain or support Fire Protection Services uses.
- Section 4622: would amend the Exceptions to Height Limits with a Minor Use Permit to include Wireless Telecommunications Facilities.
- Section 5462: would amend this section to correct the title of "Director of Sanitation and Flood Control" to "Director of Public Works".
- Section 5804: would amend the section to allow the waiver of the application of Planned Development Special Area Regulations to be approved by the Director rather than the Planning Commission. Also would add an allowance for a waiver of a Site Plan for the development of one single-family dwelling on a lot of 5 acres or more rather than requiring a Major Use Permit.
- Section 6102: would add subsection I. Temporary Outdoor Sales to the Identification of Permitted of Temporary Uses section.
- Section 6124: would add this section to allow

Subsection a: Temporary Outdoor Sales Use for seasonal sales of pumpkins and Christmas trees in certain commercial and industrial zones where retail sales or horticultural sales are allowed, subject to limitations, including the duration of the sales, the size of the sales lot, that Site Plan review would not be required for properties subject to Community Design Review and that the sales must comply with other applicable codes.

Subsection b: Temporary Outdoor Sales Use for the sale of vehicles, boats and trailers, in certain commercial and industrial Use Regulations where vehicle sales are allowed, subject to limitations, including the duration of the sales, the size of the sales lot, that a waiver of a Site Plan modification or deviation would be required from the appropriate Community Design Review Group, and that all other requirements of state law shall be observed.

- Section 6814: would add “Temporary Outdoor Sales” and “Recycling Processing Facility, Wood and Green Materials” as exempt from the enclosure matrix.
- Section 6911: would add a new Emergency Shelter section to provide regulations for this use as allowed by state law.
- Section 6970: would add “Special Purpose Use Regulations” to the Small Recycling Collection Facility allowed with an Administrative Permit, to correct an omission (allowed per Section 2800) and would replace the word “Zone” with “Use Regulation” throughout this section.
- Section 7355: Would amend this section to amend the term “religious assembly” to “civic, fraternal or religious assembly” and remove the term “lodge, fraternal and civic assembly”, to correct an oversight from a previous ordinance amendment.
- Section 7386: Would amend this section to remove subsection b. that references denial of an application by the Planning Environmental Review Board.

See the attached Draft Zoning Ordinance Amendment in strike-out/underline format for a more detailed description of the proposed amendments.

9. Surrounding land uses and setting (Briefly describe the project’s surroundings):

The County terrain varies from west to east, sloping up from the ocean, transitioning to rolling hills and then steep mountains that finally give way to flat to gently sloping deserts.

The County is a generally semi-arid environment and supports a wide range of habitats and biological communities. These habitats and communities range from grasslands to shrublands to coniferous forests. Additionally, these habitats and communities vary greatly depending on the ecoregion, soils and substrate, elevation and topography.

The urban areas of the County are predominantly in the west, either surrounding the City of San Diego, or interspersed between the City of San Diego and the cities in Orange and Riverside Counties. Further east, the land is less developed, with the largest developed area in the eastern portion of the County being the community of Borrego Springs. The eastern portion of the County is unincorporated and mostly undeveloped. The areas that have been developed in the eastern portion of the County have been predominantly developed in a rural fashion, with large lot sizes, agricultural or related uses, and have limited infrastructure and service availability.

The County is serviced by the Interstates 5, 15, 163, and 805 that all run north and south throughout the western portion of the County and Interstate 8 that runs east and west throughout the southern portion of the County. Additionally, the County is serviced by State Highways 76, 78 and 94 that all run east and west across the County and State Highways 67 and 79 that all run north and south throughout the western and eastern sides of the County, respectively.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The environmental factors checked below would be potentially affected by this project and involve at least one impact that is a "Potentially Significant Impact" or a "Less Than Significant With Mitigation Incorporated," as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> <a href="#">Aesthetics</a>                      | <input type="checkbox"/> <a href="#">Agricultural Resources</a>             | <input type="checkbox"/> <a href="#">Air Quality</a>              |
| <input type="checkbox"/> <a href="#">Biological Resources</a>            | <input type="checkbox"/> <a href="#">Cultural Resources</a>                 | <input type="checkbox"/> <a href="#">Geology &amp; Soils</a>      |
| <input type="checkbox"/> <a href="#">Hazards &amp; Haz. Materials</a>    | <input type="checkbox"/> <a href="#">Hydrology &amp; Water Quality</a>      | <input type="checkbox"/> <a href="#">Land Use &amp; Planning</a>  |
| <input type="checkbox"/> <a href="#">Mineral Resources</a>               | <input type="checkbox"/> <a href="#">Noise</a>                              | <input type="checkbox"/> <a href="#">Population &amp; Housing</a> |
| <input type="checkbox"/> <a href="#">Public Services</a>                 | <input type="checkbox"/> <a href="#">Recreation</a>                         | <input type="checkbox"/> <a href="#">Transportation/Traffic</a>   |
| <input type="checkbox"/> <a href="#">Utilities &amp; Service Systems</a> | <input type="checkbox"/> <a href="#">Mandatory Findings of Significance</a> |   |

**DETERMINATION:** (To be completed by the Lead Agency)  
On the basis of this initial evaluation:

- ☒ On the basis of this Initial Study, the Department of Planning and Land Use finds that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ On the basis of this Initial Study, the Department of Planning and Land Use finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ On the basis of this Initial Study, the Department of Planning and Land Use finds that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

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Signature

Heather Steven  
Printed Name

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Date

Land Use/Environmental Planner  
Title

## **INSTRUCTIONS ON EVALUATION OF ENVIRONMENTAL IMPACTS**

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, Less Than Significant With Mitigation Incorporated, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are “Less Than Significant With Mitigation Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance

**I. AESTHETICS** -- Would the project:

a) Have a substantial adverse effect on a scenic vista?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

A vista is a view from a particular location or composite views along a roadway or trail. Scenic vistas often refer to views of natural lands, but may also be compositions of natural and developed areas, or even entirely of developed and unnatural areas, such as a scenic vista of a rural town and surrounding agricultural lands. What is scenic to one person may not be scenic to another, so the assessment of what constitutes a scenic vista must consider the perceptions of a variety of viewer groups. The items that can be seen within a vista are visual resources. Adverse impacts to individual visual resources or the addition of structures or developed areas may or may not adversely affect the vista. Determining the level of impact to a scenic vista requires analyzing the changes to the vista as a whole and also to individual visual resources.

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The uses allowed pursuant to these amendments may be located near or within the viewshed of a scenic vista. The uses allowed pursuant to these amendments will not have a substantial adverse effect on a scenic vista because these uses conform to the landform and match the existing developed areas of a view shed. For example, a temporary sales lot for vehicle sales would be located in a commercial zone where vehicle sales are permitted and therefore would be consistent with the surrounding visual character. For properties that are subject to Site Plan review, the temporary vehicle sales use would require review or waiver by the Community Design Review Group to evaluate conformance to scenic guidelines. These uses would be required to comply with existing height and setback limitations and therefore would have the same effect that other accessory or temporary uses would have in the same zone. The proposed amendments to the Zoning Ordinance to allow exceptions to the height limitations would not have a substantial adverse effect on a scenic vista because these uses are required to obtain a Minor Use Permit or a Site Plan prior to approval of a project. Any potential impacts would be evaluated and mitigated as necessary. The proposed amendments to the Zoning Ordinance to waive the requirement for a Site Plan for the construction of one single-family dwelling on a lot over 5 acres in size with "P" Designator would not have a substantial adverse effect on a scenic vista because the use would conform to the required setback and height limitations and other development regulations. Therefore the proposed project will not have a substantial adverse effect on a scenic vista.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

State scenic highways refer to those highways that are officially designated by the California Department of Transportation (Caltrans) as scenic ([Caltrans - California Scenic Highway Program](#)). Generally, the area defined within a State scenic highway is the land adjacent to and visible from the vehicular right-of-way. The dimension of a scenic highway is usually identified using a motorist's line of vision, but a reasonable boundary is selected when the view extends to the distant horizon. The scenic highway corridor extends to the visual limits of the landscape abutting the scenic highway.

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The uses allowed pursuant to these amendments may be located near or be visible from within the composite viewshed of a State scenic highway.

The project is compatible with the existing visual environment in terms of visual character and quality for the following reasons: The uses allowed pursuant to these amendments conform to the landform and match the existing developed areas of a view shed. For example, a temporary sales lot for vehicle sales would be located in a commercial zone where vehicle sales are permitted and therefore would be consistent with the surrounding visual character. For properties that are subject to Site Plan review, the temporary vehicle sales use would require review or waiver by the Community Design Review Group to evaluate conformance to scenic guidelines. In addition, these uses would be required to comply with existing height and setback limitations and would have the same effect that other accessory or temporary uses would have in the same zone.

The proposed amendments to the zoning ordinance to allow exceptions to the height limitations would not have a substantial adverse effect on a scenic vista because these uses are required to obtain a Minor Use Permit or a Site Plan prior to approval of a project. Any potential impacts would be evaluated and mitigated as necessary. Therefore the proposed project will not have a substantial adverse effect on a scenic vista. Therefore, the project will not result in any adverse project or cumulative level effect on a scenic resource within a State scenic highway.

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?



- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

Visual character is the objective composition of the visible landscape within a viewshed. Visual character is based on the organization of the pattern elements line, form, color, and texture. Visual character is commonly discussed in terms of dominance, scale, diversity and continuity. Visual quality is the viewer's perception of the visual environment and varies based on exposure, sensitivity and expectation of the viewers.

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The future uses allowed pursuant to these amendments will not degrade the existing visual character or quality as the uses will be found in already developed areas and they would conform to the existing landform. Therefore, the proposed project will not degrade the existing visual character or quality of the area.

- d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The uses allowed pursuant to these amendments are not anticipated to create a new source of substantial light or glare that could adversely affect day or nighttime views. The future uses allowed pursuant to these Amendments may use outdoor lighting and could be located within Zone A or B as identified by the San Diego County Light Pollution Code. However, the uses will not adversely affect nighttime views or astronomical observations because they will conform to the Light Pollution Code (Section 59.101-59.115) including the required lamp type and shielding requirements per fixture and hours of operation limitations for outdoor lighting and searchlights. Any future outdoor lighting pursuant to this project shall be required to meet the requirements of the County of San Diego Zoning Ordinance (Section 6322-6326). Therefore, compliance with the Ordinance and Code ensures that the project will

not create a significant new source of substantial light or glare, which would adversely affect daytime or nighttime views in the area, on a project or cumulative level.

**II. AGRICULTURAL RESOURCES** -- Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Important Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to non-agricultural use?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The future uses allowed pursuant to these Amendments will not result in amendments to any sections of the Zoning Ordinance that address converting any agricultural resources, lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to a non-agricultural use. Therefore, no agricultural resources including Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance will be converted to a non-agricultural use.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The proposed amendment to the Cottage Industries in the A70 Use Regulation would relocate the use from "Uses Subject to Limitations" to "Uses Subject to Minor Use Permit" to bring this section into conformance with the Cottage Industries requirements. This correction would not result in a change to the existing environment as there would be no conflict with existing zoning for agricultural use. The remaining future uses allowed pursuant to these Amendments will not result in changes to allowed uses in any agricultural zone or land

under a Williamson Act Contract. Therefore, the project does not conflict with existing zoning for agricultural use, or a Williamson Act Contract.

- c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Important Farmland or other agricultural resources, to non-agricultural use?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The proposed amendment to the Cottage Industries in the A70 Use Regulation would relocate the use from "Uses Subject to Limitations" to "Uses Subject to Minor Use Permit" to bring this section into conformance with the Cottage Industries requirements. This correction would not result in a change to the existing environment as there would be no resulting conversion of agricultural lands to non-agricultural uses. The remaining proposed Amendments will not result in amendments to any sections of the Zoning Ordinance that address allowed uses in agricultural zones. Therefore, no Prime Farmland, Unique Farmland, Farmland of Statewide or Local Importance, or active agricultural operations will be converted to a non-agricultural use.

**III. AIR QUALITY** -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The proposed Amendments will not result in new uses in existing residential, commercial or industrial zones than what are commonly anticipated in those zones; therefore the Zoning Ordinance Amendment proposes use

types that were anticipated in SANDAG growth projections used in development of the RAQS and SIP. Establishing Emergency Shelters as an allowed use by-right within the County has been mandated by state law. Operation of the future uses, including allowing Emergency Shelters in certain industrial zones, could result in emissions of ozone precursors that were considered as a part of the RAQS based on growth projections. As such, the proposed project is not expected to conflict with either the RAQS or the SIP. In addition, the operational emissions from the project are below the screening levels, and subsequently will not violate ambient air quality standards. Therefore, the project is not expected to conflict with either the RAQS or the SIP. In addition, the operational emissions from the project are below the screening levels, and subsequently will not violate ambient air quality standards

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. In general, air quality impacts from land use projects are the result of emissions from motor vehicles, and from short-term construction activities associated with such projects. The San Diego County Land Use Environment Group (LUEG) has established guidelines for determining significance which incorporate the Air Pollution Control District's (SDAPCD) established screening-level criteria for all new source review (NSR) in APCD Rule 20.2. These screening-level criteria can be used as numeric methods to demonstrate that a project's total emissions (e.g. stationary and fugitive emissions, as well as emissions from mobile sources) would not result in a significant impact to air quality. Since APCD does not have screening-level criteria for emissions of volatile organic compounds (VOCs), the use of the screening level for reactive organic compounds (ROC) from the South Coast Air Quality Management District (SCAQMD) for the Coachella Valley (which are more appropriate for the San Diego Air Basin) are used.

The uses allowed pursuant to these proposed Amendments would not promote air pollution. The proposed amendment to the Zoning Ordinance to exempt Recycling Processing Facility, Wood and Green Materials from requirement that it be in an enclosed building would not promote air pollution since the future operations would be subject to existing performance standards in the Zoning Ordinance including control of particulate matter and air contaminants. In addition, any future grading operations would be subject to County of San Diego Grading Ordinance, which requires the implementation of dust control measures. Emissions from a construction phase (if any) would be minimal, temporary and localized, resulting in pollutant emissions below the

screening-level criteria established by the LUEG guidelines for determining significance. According to the Bay Area Air Quality Management District CEQA Guidelines for Assessing the Air Quality Impacts of Projects and Plans, projects that generate less than 2,000 ADT are below the screening-level criteria established by the guidelines for criteria pollutants. As such, the project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. San Diego County is presently in non-attainment for the 1-hour concentrations under the California Ambient Air Quality Standard (CAAQS) for Ozone ( $O_3$ ). San Diego County is also presently in non-attainment for the annual geometric mean and for the 24-hour concentrations of Particulate Matter less than or equal to 10 microns ( $PM_{10}$ ) under the CAAQS.  $O_3$  is formed when volatile organic compounds (VOCs) and nitrogen oxides ( $NO_x$ ) react in the presence of sunlight. VOC sources include any source that burns fuels (e.g., gasoline, natural gas, wood, oil); solvents; petroleum processing and storage; and pesticides. Sources of  $PM_{10}$  in both urban and rural areas include: motor vehicles, wood burning stoves and fireplaces, dust from construction, landfills, agriculture, wildfires, brush/waste burning, and industrial sources of windblown dust from open lands.

The future uses allowed pursuant to these Amendments are not expected to create a cumulatively considerable impact nor a considerable net increase in  $PM_{10}$ , or any  $O_3$  precursors. The proposed amendment to the Zoning Ordinance to exempt Recycling Processing Facility, Wood and Green Materials from requirement that it be in an enclosed building would not promote air pollution since the future operations would be subject to existing performance standards in the Zoning Ordinance including control of particulate matter and air contaminants. The proposed amendment to the Zoning Ordinance to add Commercial Use Types Subject to a Major Use Permit in the M54 Use Regulations would not create any cumulatively considerable net increase of any criteria pollutant since these uses were allowed under the existing ordinance and were inadvertently deleted with a previous ordinance amendment and would correct a typographical error.

Air quality emissions associated with the project include emissions of PM<sub>10</sub>, NO<sub>x</sub> and VOCs if construction/grading activities take place. However, grading operations associated with the construction of a future project would be subject to County of San Diego Grading Ordinance, which requires the implementation of dust control measures. Emissions from the construction phase would be minimal, localized and temporary resulting in PM<sub>10</sub> and VOC emissions below the screening-level criteria established by the LUEG guidelines for determining significance. According to the Bay Area Air Quality Management District CEQA Guidelines for Assessing the Air Quality Impacts of Projects and Plans, projects that generate less than 2,000 ADT are below the screening-level criteria established by the LUEG guidelines for determining significance, therefore, the construction and operational emissions associated with the proposed project are not expected to create a cumulatively considerable impact nor a considerable net increase in PM<sub>10</sub>, or any O<sub>3</sub> precursors.

d) Expose sensitive receptors to substantial pollutant concentrations?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Air quality regulators typically define sensitive receptors as schools (Preschool-12<sup>th</sup> Grade), hospitals, resident care facilities, or day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. The County of San Diego also considers residences as sensitive receptors since they house children and the elderly.

The future uses allowed pursuant to these Amendments will not generate significant levels of air pollutants. As such, a project would not expose sensitive populations to excessive levels of air pollutants. Similarly, a project would not propose uses or activities that would result in exposure of these sensitive receptors to significant pollutant concentrations and will not place sensitive receptors near a carbon monoxide hotspot. In addition, a project will not contribute to a cumulatively considerable exposure of sensitive receptors to substantial pollutant concentrations because a proposed project would have emissions below the screening-level criteria established by the LUEG guidelines for determining significance. Therefore, the project will not expose sensitive populations to excessive levels of air pollutants.

e) Create objectionable odors affecting a substantial number of people?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact:** No potential sources of objectionable odors have been identified in association with the future uses allowed by these Zoning Ordinance Amendments. The future commercial and industrial uses would be subject to the performance standards in the Zoning Ordinance that regulate the emission of odors. As such, no impact from odors is anticipated.

**IV. BIOLOGICAL RESOURCES** -- Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some of the future uses allowed by these Zoning Ordinance Amendments could be operated out of existing buildings on developed sites, but would not have an impact on any candidate, sensitive or special status species. Some future uses may be build on land that contains native habitat and possibly even candidate, sensitive, or special status species. However, all future facilities built pursuant to these Zoning Ordinance Amendments would be required to comply with all existing State and Federal regulations that ensure the protection of candidate, sensitive or special status species including the Federal Endangered Species Act. Furthermore, if a future facility involves substantial landform modification/grading that may have an adverse impact on candidate, sensitive, or special status species, a discretionary grading permit would be required and would require further environmental review. In addition, if clearing of land in preparation for construction of a structure is not specifically exempted it is subject to Section 87.501 et seq. of the County Code, a discretionary clearing permit would be required and would require further environmental review. Therefore, the impact is less than significant.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. No amendments are proposed to any Zoning Ordinance sections which regulate identified riparian habitat or other sensitive natural communities. Some of the future uses allowed by these Zoning Ordinance Amendments could be operated out of existing buildings on developed sites, and would not have an impact on any riparian habitat or other sensitive natural community. Some future uses may be built on land that contains riparian habitat or other sensitive natural communities as defined by the County of San Diego Multiple Species Conservation Program, County of San Diego Resource Protection Ordinance, Natural Community Conservation Plan, Fish and Game Code, Endangered Species Act, Clean Water Act, or any other local or regional plans, policies or regulations. However, all future projects built pursuant to these Zoning Ordinance Amendments would be required to comply with all existing State and Federal regulations that ensure the protection of riparian and sensitive habitat communities including the Federal Endangered Species Act, the Federal Clean Water Act and the need for a California Streambed Alteration Agreement. Compliance with the Natural Community Conservation Plan will be required for any project outside of the MSCP that requires a grading or clearing permit and will not impact more than 1 acre of Coastal sage scrub habitat. The projects exempt from the Biological Mitigation Ordinance and the NCCP have been determined in the adoption of these regulations to have a minimal impact on sensitive habitat communities because they do not contribute to long-term conservation goals. Furthermore, if a future facility involves substantial landform modification/grading that may have an adverse impact on riparian habitat or other sensitive natural community, a discretionary grading permit would be required and would require further environmental review. In addition, if clearing of land in preparation for construction of a structure is not specifically exempted, it is subject to Section 87.501 et seq. of the County Code, a discretionary clearing permit would be required and would require further environmental review. Therefore, project impacts to any riparian habitat or sensitive natural community identified in the County of San Diego Multiple Species Conservation Program, County of San Diego Resource Protection Ordinance, Natural Community Conservation Plan, Fish and Game Code, Endangered Species Act, Clean Water Act, or any other local or regional plans, policies or regulations, are considered less than significant.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal



pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The future uses allowed pursuant to these amendments will not have a substantial adverse effect on federally protected wetlands as these uses will be located in already developed areas and do not involve landform alteration. Any future facility allowed to be built pursuant to these Zoning Ordinance Amendments would be required to comply with all Federal regulations that ensure the protection of wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.). Therefore, no significant impacts will occur to wetlands or waters of the U.S. as defined by Section 404 of the Clean Water Act and under the jurisdiction of the Army Corps of Engineers.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses may be operated out of existing buildings on developed lots, but would not have an impact on the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites because these uses will be found in already developed areas with no landform modification occurring. Some future uses may be built on land that contains native habitat and possibly even on land that provides corridors or native wildlife nursery sites. However, all future facilities built pursuant to these Amendments would be required to comply with all existing State and Federal regulations that ensure the protection of native resident or migratory fish or wildlife or with corridors and nursery sites including the Federal Endangered Species

Act and the California Endangered Species Act. Furthermore, if a future facility involves substantial landform modification/grading that may have an adverse impact on corridors or native wildlife nursery sites, a discretionary grading permit would be required and would require further environmental review. In addition, if clearing of land in preparation for construction of a structure is not specifically exempted, it is subject to Section 87.501 et seq. of the County Code, a discretionary clearing permit would be required and would require further environmental review. Therefore, the project will not result in substantial adverse effects, either directly or through habitat modification, to corridors or native wildlife nursery sites.

- e) Conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The proposed Amendments are not subject to the regulations of the Biological Mitigation Ordinance [per Section 86.503(a)(3)], the Resource Protection Ordinance (per Article III.1) or the Habitat Loss Permit ordinance because an amendment to the Zoning Ordinance is not considered a land development permit. Refer to the attached Ordinance Compliance Checklist dated August 18, 2009 for further information on consistency with any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan, including, Habitat Management Plans (HMP), Special Area Management Plans (SAMP), or any other local policies or ordinances that protect biological resources including the Multiple Species Conservation Program (MSCP), Biological Mitigation Ordinance, Resource Protection Ordinance (RPO), Habitat Loss Permit (HLP).

**V. CULTURAL RESOURCES** -- Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Zoning Ordinance Amendments will be operated out of existing buildings on developed lots and will not require any alteration to structures that would cause a substantial adverse change in the significance of a historical resource. If any future use involved significant landform modification to create a future facility, a discretionary grading permit and further environmental review would be required. If any future use did not involve landform modification, or did not require a grading or clearing permit, any potentially significant historic resources would be preserved in place and would not result in a significant impact.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Zoning Ordinance Amendments will be operated out of existing buildings on developed lots and would not cause a substantial adverse change in the significance of an archaeological resource. If any future use involved significant landform modification to create a future facility, a discretionary grading permit and further environmental review would be required. Additionally, if any future use did not involve landform modification, or did not require a grading or clearing permit, any potentially significant archaeological resources would be preserved in place and would not result in a significant impact.

- c) Directly or indirectly destroy a unique geologic feature?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses,

make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. San Diego County has a variety of geologic environments and geologic processes which generally occur in other parts of the state, country, and the world. However, some features stand out as being unique in one way or another within the boundaries of the County. Some future uses allowed pursuant to these Zoning Ordinance amendments will be operated out of existing buildings or on developed lots. No landform modification is anticipated as these uses will be allowed on lots that are already developed. If any future use involved significant landform modification to create a future facility, a discretionary grading permit and further environmental review would be required. Additionally, if any future use did not involve landform modification, or did not require a grading or clearing permit, any potentially significant unique geologic resources would be preserved in place and would not result in a significant impact.

d) Directly or indirectly destroy a unique paleontological resource or site?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Zoning Ordinance amendments may be located on geological formations that potentially contain unique paleontological resources. No excavating into undisturbed ground beneath the soil horizons is anticipated since the future uses allowed may be conducted out of existing buildings or on developed lots. However, if there is any amount of significant grading, the future use would be subject to the requirements for paleontological monitoring as required pursuant to the County's Grading Ordinance. Therefore, these amendments will not directly or indirectly destroy a unique paleontological resource or site.

e) Disturb any human remains, including those interred outside of formal cemeteries?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses,

make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Interred human remains may exist on a project site. Some future uses allowed pursuant to these Zoning Ordinance Amendments will be operated out of existing buildings or on developed lots and will not require any alteration to structures that would disturb human remains. If any future uses involved significant landform modification, a discretionary grading permit and further environmental review would be required. At that time, a site evaluation could be conducted to measure the potential impact the project may have on human remains. Therefore, a future use will not impact archaeological resources or disturb any human remains, including those interred outside of formal cemeteries.

**VI. GEOLOGY AND SOILS** -- Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?  
Refer to Division of Mines and Geology Special Publication 42.

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Future uses allowed pursuant to these amendments may be located within a fault-rupture hazard zone as identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42 (SP 42), Revised 1997, Fault-Rupture Hazards Zones in California or within an area with substantial evidence of a known fault. However, any structures that will be built will be required to comply with the county Building code requirements. Included in the County Building Code are requirements that address seismic events through engineering requirements prior to the issuance of a building permit. Therefore, there will be no potentially significant impact from the exposure of people or structures to a known fault-rupture hazard zone as a result of this project.

- ii. Strong seismic ground shaking?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Zoning Ordinance Amendments may be located within 5 kilometers of the centerline of a known active-fault zone as defined within the Uniform Building Code's Maps of Known Active Fault Near-Source Zones in California. To ensure the structural integrity of all buildings and structures, any future projects must conform to the Seismic Requirements as outlined within the California Building Code. The County Code requires a soils compaction report with proposed foundation recommendations to be approved before the issuance of a building permit. Therefore, compliance with the California Building Code and the County Code ensures the project will not result in a potentially significant impact from the exposure of people or structures to potential adverse effects from strong seismic ground shaking.

iii. Seismic-related ground failure, including liquefaction?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Zoning Ordinance Amendments may be located within a "Potential Liquefaction Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards. To ensure the structural integrity of all buildings and structures, any future structures located in these areas must conform to the Seismic Requirements as outlined within the California Building Code. The County Code requires a soils compaction report with proposed foundation recommendations to be approved by a County Structural Engineer before the issuance of a building or grading permit. Therefore, there will be no potentially significant impact from the exposure of people or structures to adverse effects from a known area susceptible to ground failure, including liquefaction as a result of this project.

iv. Landslides?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Zoning Ordinance Amendments may be located within a "Landslide Susceptibility Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards. If a future facility involves substantial landform modification/grading that may expose people or structures to potential substantial adverse effects from landslides, a discretionary grading permit would be required and would require further environmental review. Additionally, future projects involving grading would have to comply with the San Diego County Code of Regulations and provide a soils investigation to ensure that recommendations to correct weak or unstable soil conditions have been incorporated in the grading plan and specifications. Therefore, there will be no potentially significant impact from the exposure of people or structures to adverse effects from adverse effects of landslides.

b) Result in substantial soil erosion or the loss of topsoil?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Soils throughout San Diego County are identified as having a soil erodibility rating of "slight", "moderate" and/or "severe" as indicated by the Soil Survey for the San Diego Area, prepared by the US Department of Agriculture, Soil Conservation and Forest Service dated December 1973. However, the development of future uses allowed pursuant to these Zoning Ordinance Amendments will not result in substantial soil erosion or the loss of topsoil because any project that involves grading is required to comply with the San Diego County Code of Regulations, Title 8, Zoning and Land Use Regulations, Division 7, Sections 87.414 (DRAINAGE – EROSION PREVENTION) and 87.417 (PLANTING). Compliance with these regulations minimizes the potential for water and wind erosion.

c) Will the project produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** For further information refer to VI Geology and Soils, Question a., i-iv listed above.

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses may be located on expansive soils as defined by Table 18-I-B of the Uniform Building Code (1994). However the project will not have any significant impacts because all new construction is required to comply with improvement requirements identified in the 1997 Uniform Building Code, Division III – Design Standard for Design of Slab-On-Ground Foundations to Resist the Effects of Expansive Soils and Compressible Soils, which ensure suitable structure safety in areas with expansive soils. Therefore, the project will not create a substantial risk to life or property.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future projects that are allowed pursuant to these Zoning Ordinance Amendments will rely on public sewer for the disposal of



wastewater. In these situations, septic tanks for alternative wastewater disposal systems will not be required and will not have any impact.

Where no public sewers are available, future uses will have to discharge domestic waste to on-site wastewater systems (OSWS), also known as septic systems. Discharged wastewater must conform to the Regional Water Quality Control Board's (RWQCB) applicable standards, including the Regional Basin Plan and the California Water Code. California Water Code Section 13282 allows RWQCBs to authorize a local public agency to issue permits for OSWS "to ensure that systems are adequately designed, located, sized, spaced, constructed and maintained." The RWQCBs with jurisdiction over San Diego County have authorized the County of San Diego, Department of Environmental Health (DEH) to issue certain OSWS permits throughout the County and within the incorporated cities. DEH will review and approve the OSWS lay-out for future projects pursuant to DEH, Land and Water Quality Division's, "On-site Wastewater Systems: Permitting Process and Design Criteria." Therefore, the project will have to demonstrate the presence of soils capable of adequately supporting the use of septic tanks or alternative wastewater disposal systems as determined by the authorized, local public agency. In addition, future projects will comply with the San Diego County Code of Regulatory Ordinances, Title 6, Div. 8, Chap. 3, Septic Tanks and Seepage Pits.

**VII. HAZARDS AND HAZARDOUS MATERIALS** -- Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The future uses allowed pursuant to these Zoning Ordinance Amendments will not create a significant hazard to the public or the environment because it does not propose uses for the storage, use, transport, emission, or disposal of Hazardous Substances. The amendment to the Zoning Ordinance to add certain commercial use types Subject to a Major Use Permit in the M54 Use Regulations (including Explosives Storage, Funeral and Interment Services and Scrap Operations) would not create a significant hazard since the uses are currently permitted subject to a Major Use Permit in the M54 Use Regulations. The uses were inadvertently omitted

from the Zoning Ordinance text in a previous ordinance amendment and are being reinstated.

- b) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Future uses allowed pursuant to these proposed amendments may be located within one-quarter mile of an existing or proposed school however the uses do not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Therefore, the project will not result in any potentially significant impacts related to the routine transport, use, and disposal of hazardous substances within one-quarter mile of an existing or proposed school.

- c) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or is otherwise known to have been subject to a release of hazardous substances and, as a result, would it create a significant hazard to the public or the environment?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Future uses allowed pursuant to these proposed amendments could be located on sites listed in the State of California Hazardous Waste and Substances sites list compiled pursuant to Government Code Section 65962.5., the San Diego County Hazardous Materials Establishment database, the San Diego County DEH Site Assessment and Mitigation (SAM) Case Listing, the Department of Toxic Substances Control (DTSC) Site Mitigation and Brownfields Reuse Program Database ("CalSites" Envirostor Database), the Resource Conservation and Recovery Information System (RCRIS) listing, the EPA's Superfund CERCLIS database or the EPA's National Priorities List (NPL). However, the project will not create a significant hazard to the public or the environment because if a property is on the list, the County will not issue a

building permit until any significant hazard has been referred to and remediated to the satisfaction of the Department of Environmental Health. Future uses may be required to obtain necessary permits, or in the case of uses on developed sites, the site will have already occurred and the lists or databases would have been checked. Therefore, the project would not create a significant hazard to the public or environment.

- d) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Future uses allowed pursuant to these proposed amendments may be located within an Airport Land Use Compatibility Plan (ALUCP) /Comprehensive Land Use Plan (CLUP) and would be reviewed for compatibility with the appropriate plan during a future discretionary action or prior to issuance of any building permits. The proposed project will not result in hazards to airport safety or surrounding land uses for the following reasons:

- The project does not propose any distracting visual hazards including but not limited to distracting lights, glare, sources of smoke or other obstacles or an electronic hazard that would interfere with aircraft instruments or radio communications. Therefore, the project complies with the Federal Aviation Administration Runway Approach Protection Standards (Federal Aviation Regulations, Part 77 – Objects Affecting Navigable Airspace).
- The project does not propose construction of any structure equal to or greater than 150 feet in height, constituting a safety hazard to aircraft and/or operations from an airport or heliport. Future exceptions to the height limit for structures that contain or support Fire Protection Service Facilities (subject to Site Plan) or Wireless Telecommunication Facilities with Minor Use Permit would be reviewed for compatibility with and applicable ALUCP/CLUP prior to approval and would not constitute a safety hazard.
- The project does not propose any artificial bird attractor, including but not limited to reservoirs, golf courses with water hazards, large detention and retention basins, wetlands, landscaping with water features, wildlife refuges, or agriculture (especially cereal grains).

Therefore, the project will not constitute a safety hazard for people residing or working in the project area.

e) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Future uses allowed pursuant to these proposed amendments may be located within one mile of a private airstrip. However, these future uses would not constitute a safety hazard for people residing or working in the project area for the following reasons:

- The project does not propose any distracting visual hazards including but not limited to distracting lights, glare, sources of smoke or other obstacles or an electronic hazard that would interfere with aircraft instruments or radio communications. Therefore, the project complies with the Federal Aviation Administration Runway Approach Protection Standards (Federal Aviation Regulations, Part 77 – Objects Affecting Navigable Airspace).
- The project does not propose construction of any structure equal to or greater than 150 feet in height, constituting a safety hazard to aircraft and/or operations from an airport or heliport. Future exceptions to the height limit for structures that contain or support Fire Protection Service Facilities (subject to Site Plan) or Wireless Telecommunication Facilities with Minor Use Permit would be reviewed for compatibility with and applicable ALUCP/CLUP prior to approval and would not constitute a safety hazard.
- The project does not propose any artificial bird attractor, including but not limited to reservoirs, golf courses with water hazards, large detention and retention basins, wetlands, landscaping with water features, wildlife refuges, or agriculture (especially cereal grains).

Therefore, the project will not constitute a safety hazard for people residing or working in the project area.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

The following sections summarize the project's consistency with applicable emergency response plans or emergency evacuation plans.

i. OPERATIONAL AREA EMERGENCY PLAN AND MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The Operational Area Emergency Plan is a comprehensive emergency plan that defines responsibilities, establishes an emergency organization, defines lines of communications, and is designed to be part of the statewide Standardized Emergency Management System. The Operational Area Emergency Plan provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The Multi-Jurisdictional Hazard Mitigation Plan includes an overview of the risk assessment process, identifies hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The plan also identifies goals, objectives and actions for each jurisdiction in the County of San Diego, including all cities and the County unincorporated areas. The project will not interfere with this plan because it will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out.

ii. SAN DIEGO COUNTY NUCLEAR POWER STATION EMERGENCY RESPONSE PLAN

**No Impact:** The San Diego County Nuclear Power Station Emergency Response Plan will not be interfered with by the project due to the location of the project, plant and the specific requirements of the plan. The emergency plan for the San Onofre Nuclear Generating Station includes an emergency planning zone within a 10-mile radius. All land area within 10 miles of the plant is not within the jurisdiction of the unincorporated County and as such a project in the unincorporated area is not expected to interfere with any response or evacuation.

iii. OIL SPILL CONTINGENCY ELEMENT

**No Impact:** The Oil Spill Contingency Element will not be interfered with because the project is not located along the coastal zone or coastline.

iv. EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE RESPONSE PLAN

**No Impact:** The Emergency Water Contingencies Annex and Energy Shortage Response Plan will not be interfered with because the project does not propose altering major water or energy supply infrastructure, such as the California Aqueduct.

v. DAM EVACUATION PLAN

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The Dam Evacuation Plan will not be interfered with because even though a future use could be located within a dam inundation zone, a project would not be a unique institution that would be difficult to safely evaluate in the event of a dam failure. Unique institutions, as defined by the Office of Emergency Services, include hospitals, schools, skilled nursing facilities, retirement homes, mental health care facilities, care facilities for patients with disabilities, adult and childcare facilities, jails/detention facilities, stadiums, arenas, amphitheaters, or a similar use. Since the proposed Zoning Ordinance Amendment does not propose any unique institutions in a dam inundation zone, the project would not impair implementation of or physically interfere with the implementation of an emergency response plan.

- g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Future uses allowed by these Zoning Ordinance Amendments may be located in many areas throughout the unincorporated areas of the County that are in a variety of settings. Each will be addressed below:

Some future uses allowed by these Zoning Ordinance Amendments may be located in areas that are completely surrounded by urbanized areas, and/or irrigated lands and there are no adjacent wildland areas. Therefore, based on the location of the project, it is not anticipated that the project will expose people or structures to a significant risk of loss, injury or death involving hazardous wildland fires.

Some future uses allowed by these Zoning Ordinance Amendments may be located within and served by independent fire protection districts and may also be located adjacent to wildlands that have the potential to support wildland fires. However, the project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires because future projects will comply with the regulations relating to emergency access, water supply, and defensible space specified in the Consolidated Fire Code for the 17 Fire Protection Districts in San Diego County and Appendix II-A, as adopted and amended by the local fire protection district. Implementation of these fire

safety standards will occur during the building permit process. Therefore, through compliance with the Consolidated Fire Code and Appendix II-A and through compliance with the applicable Fire Protection District's conditions, it is not anticipated that the project will expose people or structures to a significant risk of loss, injury or death involving hazardous wildland fires. Moreover, the project will not contribute to a cumulatively considerable impact, because all past, present and future projects in the surrounding area are required to comply with the Consolidated Fire Code and Appendix II-A.

Some future uses allowed by these Zoning Ordinance Amendments may be located within and served by a County service area fire protection district and may also be located adjacent to wildlands that have the potential to support wildland fires. However, the project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires because the project will comply with the regulations relating to emergency access, water supply, and defensible space specified in the County Code of Regulatory Ordinance, Title 3, Division 5, Chapter 3 and Appendix II-A of the Uniform Fire Code. Implementation of these fire safety standards will occur during the building permit process. Therefore, through compliance with the County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3 and Appendix II-A of the Uniform Fire Code, and through compliance with the applicable County Service Area Fire Protection District's conditions, it is not anticipated that the project will expose people or structures to a significant risk of loss, injury or death involving hazardous wildland fires. Moreover, the project will not contribute to a cumulatively considerable impact, because all past, present and future projects in the surrounding area are required to comply with the County Code of Regulatory Ordinances and the Uniform Fire Code.

Some future uses allowed by these Zoning Ordinance Amendments may be located within State Responsibility Areas and served by CALFIRE (California Department of Forestry) and may also be located adjacent to wildlands that have the potential to support wildland fires. However, the project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires because the project will comply with the regulations relating to emergency access, water supply, and defensible space specified in Public Resources Code Sections 4290 and 4291. Implementation of these fire safety standards will occur during the building permit process. Therefore, through compliance with Public Resources Code Sections 4290 and 4291, and through compliance with the California Department of Forestry's conditions, it is not anticipated that the project would expose people or structures to a significant risk of loss, injury or death involving hazardous wildland fires. Moreover, the project will not contribute to a cumulatively considerable impact, because all past, present and future projects in the surrounding area are required to comply with the Public Resources Code Sections 4290 and 4291 and the Uniform Fire Code.

- h) Propose a use, or place residents adjacent to an existing or reasonably foreseeable use that would substantially increase current or future resident's exposure to vectors, including mosquitoes, rats or flies, which are capable of transmitting significant public health diseases or nuisances?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The uses allowed pursuant to these Amendments do not involve or support uses that allow water to stand for a period of 72 hours (3 days) or more (e.g. artificial lakes, agricultural irrigation ponds). Also, the project does not involve or support uses that will produce or collect animal waste, such as equestrian facilities, agricultural operations (chicken coops, dairies etc.), solid waste facility or other similar uses. Therefore, the project will not substantially increase current or future resident's exposure to vectors, including mosquitoes, rats or flies.

**VIII. HYDROLOGY AND WATER QUALITY** -- Would the project:

a) Violate any waste discharge requirements?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Future uses that are allowed pursuant to these Zoning Ordinance Amendments would be required to implement site design measures and/or source control BMPs and/or treatment control BMPs to reduce potential pollutants to the maximum extent practicable from entering storm water runoff. These measures will enable a future project to meet waste discharge requirements as required by the Land-Use Planning for New Development and Redevelopment Component of the San Diego Municipal Permit (SDRWQCB Order No. 2001-01), as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP).

Future uses may require building permits, grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which are subject to regional surface water and storm water permitting regulations for the County of San Diego, including the following: Order 2001-01 (NPDES No. CAS 0108758), adopted by the San Diego Region RWQCB on February 21, 2001; County



Watershed Protection, Storm Water Management, and Discharge Control Ordinance (WPO) (Ord. No. 9424); County Storm water Standards Manual adopted on February 20, 2002, and amended January 10, 2003 (Ordinance No. 9426). Therefore, the project will not contribute to a cumulatively considerable impact to water quality from waste discharges.

- b) Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, could the project result in an increase in any pollutant for which the water body is already impaired?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Future uses allowed pursuant to these Zoning Ordinance Amendments may be located in various hydrologic subareas, within various hydrologic units throughout the unincorporated areas of the County. According to the Clean Water Act Section 303(d) list, June 2007, these watersheds are impaired for numerous pollutants. However, it is expected that future uses will be required to employ site design measures and/or source control BMPs and/or treatment control BMPs such that potential pollutants will be reduced in any runoff to the maximum extent practicable so as not to increase the level of these pollutants in receiving waters. Any proposed BMPs must be consistent with regional surface water and storm water planning and permitting process that has been established to improve the overall water quality in County watersheds. As a result future projects will not contribute to a direct or cumulative impact to an already impaired water body, as listed on the Clean Water Act Section 303(d). Future uses may require building permits, grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which are subject to regional surface water and storm water permitting regulations for the County of San Diego, including the following: Order 2001-01 (NPDES No. CAS 0108758), adopted by the San Diego Region RWQCB on February 21, 2001; County Watershed Protection, Storm Water Management, and Discharge Control Ordinance (WPO) (Ord. No. 9424); County Storm water Standards Manual adopted on February 20, 2002, and amended January 10, 2003 (Ordinance No. 9426).

The stated purposes of these ordinances are to protect the health, safety and general welfare of the County of San Diego residents; to protect water resources and to improve water quality; to cause the use of management practices by the County and its citizens that will reduce the adverse effects of polluted runoff discharges on waters of the state; to secure benefits from the use of storm water as a resource; and to ensure the County is compliant with applicable state and federal laws. Ordinance No. 9424 (WPO) has

discharge prohibitions, and requirements that vary depending on type of land use activity and location in the County. Ordinance No. 9426 is Appendix A of Ordinance No. 9424 (WPO) and sets out in more detail, by project category, what Dischargers must do to comply with the Ordinance and to receive permits for projects and activities that are subject to the Ordinance. Collectively, these regulations establish standards for projects to follow which intend to improve water quality from headwaters to the deltas of each watershed in the County. Each project subject to WPO is required to prepare a Storm water Management Plan that details a project's pollutant discharge contribution to a given watershed and propose BMPs or design measures to mitigate any impacts that may occur in the watershed.

- c) Could the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The Regional Water Quality Control Board has designated water quality objectives for waters of the San Diego Region as outlined in Chapter 3 of the Water Quality Control Plan (Plan). The water quality objectives are necessary to protect the existing and potential beneficial uses of each hydrologic unit as described in Chapter 2 of the Plan.

The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Future uses allowed pursuant to these Zoning Ordinance Amendments may be located in various hydrologic subareas, within various hydrologic units that have existing and potential beneficial uses for inland surface waters, coastal waters, reservoirs and lakes, and ground water. However, it is expected that site design measures and/or source control BMPs and/or treatment control BMPs will be employed to reduce potential pollutants in runoff to the maximum extent practicable, such that the proposed project will not cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses.

Future uses are expected to require building permits, grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which are subject to regional surface water, storm water and groundwater planning and permitting process that has been established to improve the overall water quality in County watersheds. As a result, the project will not contribute to a cumulatively considerable exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses. Refer to Section VIII.,

Hydrology and Water Quality, Question b, for more information on regional surface water and storm water planning and permitting process.

- d) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future projects may obtain their water supply from a Water District that obtains water from surface reservoirs or other imported water source. Those projects would not use any groundwater for any purpose, including irrigation, domestic or commercial demands. In addition, the proposed amendments do not involve regulations regarding operations that would interfere substantially with groundwater recharge including, but not limited to the following: projects that involve regional diversion of water to another groundwater basin; or diversion or channelization of a stream course or waterway with impervious layers, such as concrete lining or culverts, for substantial distances (e.g. ¼ mile). These activities and operations can substantially affect rates of groundwater recharge. Some future projects allowed pursuant to these Zoning Ordinance Amendments could be located outside of the boundaries of a water district and would rely on groundwater. However, prior to the issuance of any building permits for future facilities on sites that are groundwater dependent, applicants will be required to demonstrate that there is adequate groundwater available to support the proposed use and would not deplete groundwater supplies or interfere substantially with groundwater recharge.

- e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Zoning Ordinance Amendments are expected to require building permits, grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which are subject to regional surface water, storm water and groundwater planning and permitting process that has been established to improve the overall water quality in County watersheds. These projects may be required to prepare a Stormwater Management Plan (SWMP) and implement certain site design measures, source control, and/or treatment control BMPs to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable from entering storm water runoff. These measures will be required to control erosion and sedimentation and satisfy waste discharge requirements as required by the Land-Use Planning for New Development and Redevelopment Component of the San Diego Municipal Permit (SDRWQCB Order No. 2001-01), as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP). The SWMP specifies and describes the implementation process of all BMPs that will address equipment operation and materials management, prevent the erosion process from occurring, and prevent sedimentation in any onsite and downstream drainage swales. The Department of Public Works will ensure that the Plan is implemented as proposed. Due to these factors, it has been found that the project will not result in significantly increased erosion or sedimentation potential and will not alter any drainage patterns of the site or area on- or off-site. In addition, because erosion and sedimentation will be controlled within the boundaries of the project, the project will not contribute to a cumulatively considerable impact. For further information on soil erosion refer to VI, Geology and Soils, Question b.

- f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Zoning Ordinance Amendments are expected to require building permits, grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which are subject to regional surface water, storm water and

groundwater planning and permitting process that has been established to improve the overall water quality in County watersheds. These projects may be required to prepare a Stormwater Management Plan (SWMP) and implement certain site design measures, source control, and/or treatment control BMPs to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable from entering storm water runoff. These measures will be required to control erosion and sedimentation and satisfy waste discharge requirements as required by the Land-Use Planning for New Development and Redevelopment Component of the San Diego Municipal Permit (SDRWQCB Order No. 2001-01), as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP). The SWMP specifies and describes the implementation process of all BMPs that will address equipment operation and materials management, prevent the erosion process from occurring, and prevent sedimentation in any onsite and downstream drainage swales. The Department of Public Works will ensure that the Plan is implemented as proposed. Due to these factors, it has been found that the project will not result in significantly increased erosion or sedimentation potential and will not alter any drainage patterns of the site or area on- or off-site. In addition, because erosion and sedimentation will be controlled within the boundaries of a project, the project will not contribute to a cumulatively considerable impact. Therefore, the project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Moreover, the project will not contribute to a cumulatively considerable alteration or a drainage pattern or increase in the rate or amount of runoff, because the project will substantially increase water surface elevation or runoff exiting the site, as detailed above.

g) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to the Zoning Ordinance Amendments would not result in the conversion of previously pervious land to impervious surfaces as the uses will be conducted only on existing developed sites. Therefore, the uses would not contribute runoff water that would exceed the capacity of existing storm water drainage systems.

Some future projects could result in the conversion of previously pervious land to impervious surfaces. These future projects are expected to require building permits,

grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which are subject to regional surface water, storm water and groundwater planning and permitting process that has been established to improve the overall water quality in County watersheds. These projects may be required to prepare a Stormwater Management Plan (SWMP) and implement certain site design measures, source control, and/or treatment control BMPs to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable from entering storm water runoff. These measures will be required to control erosion and sedimentation and satisfy waste discharge requirements as required by the Land-Use Planning for New Development and Redevelopment Component of the San Diego Municipal Permit (SDRWQCB Order No. 2001-01), as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP). The SWMP specifies and describes the implementation process of all BMPs that will address equipment operation and materials management, prevent the erosion process from occurring, and prevent sedimentation in any onsite and downstream drainage swales. The Department of Public Works will ensure that the Plan is implemented as proposed. Due to these factors, it has been found that the project will not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems.

h) Provide substantial additional sources of polluted runoff?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Future projects must include site design measures and/or source control BMPs and/or treatment control BMPs that will be employed such that potential pollutants will be reduced in runoff to the maximum extent practicable. Refer to VIII Hydrology and Water Quality Questions a, b, c, for further information.

i) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The proposed amendments include the addition of a provision to waive the requirement of a Site Plan for a single family dwelling on a lot of 5 acres or more on properties subject to the "Planned Development" (P) Designation. However, the proposed amendment would not authorize the placement structures with a potential for human occupation within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps and will not authorize the placement access roads or other improvements which will limit access during flood events or affect downstream properties. Therefore the project will have a less than significant impact.

j) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Zoning Ordinance Amendments may be located on sites that contain drainage swales, which are identified as being 100-year flood hazard areas however, the proposed amendments would not authorize the placement of structures, access roads or other improvements which will impede or redirect flood flows in these areas.

k) Expose people or structures to a significant risk of loss, injury or death involving flooding?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Zoning Ordinance Amendments could lie within a special flood hazard area as identified on a Flood Insurance Rate Map (FIRM), County Flood Plain Map or Alluvial Fan Map.

However, future projects would be required to be located at an elevation that would prevent exposure of people or property to flooding. Therefore, the project will not expose people to a significant risk of loss, injury or death involving flooding.

- l) Expose people or structures to a significant risk of loss, injury or death involving flooding as a result of the failure of a levee or dam?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Zoning Ordinance Amendments could lie within a mapped dam inundation area for a major dam/reservoir within San Diego County, as identified on an inundation map prepared by the dam owner. However, the San Diego County Office of Emergency Services has established emergency evacuation plans for the areas and the future uses will not interfere with these plans.

- m) Inundation by seiche, tsunami, or mudflow?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

- i. SEICHE

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Reservoirs in San Diego County are for water storage and the land surrounding the reservoirs is owned by the agency that controls the reservoir and development cannot occur along the shore. Therefore, future uses will not be subject to inundation by seiche.

- ii. TSUNAMI

**No Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance



Amendments. The future uses allowed pursuant to these Amendments would be located at least 1.8 miles or more from the coast; therefore, in the event of a tsunami, would not potentially expose people or structures to inundation due to tsunami.

iii. MUDFLOW

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. A mudflow is type of landslide. If a future use allowed by these Amendments is located within a landslide susceptibility zone and involves substantial landform modification/grading that may expose people or property to inundation due to a mudflow, a discretionary grading permit would be required and would require further environmental review. Additionally, future projects involving grading would have to comply with the San Diego County Code of Regulations, Title 8, Zoning and Land Use Regulations, Division 7, Section 87.209 and provide a soils investigation to insure that recommendations to correct weak or unstable soil conditions have been incorporated in the grading plan and specifications. Therefore, it is not anticipated that the project will expose people or property to inundation due to a mudflow.

**IX. LAND USE AND PLANNING** -- Would the project:

a) Physically divide an established community?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The uses allowed pursuant to these Amendments do not propose the introduction of new infrastructure such as major roadways or water supply systems, or utilities to an area. Therefore, the proposed project will not significantly disrupt or divide the established community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:**

The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The uses allowed pursuant to these Amendments would affect land zoned in residential, commercial and industrial throughout the County, which are consistent with a number of General Plan Land Use Designations. The project is consistent with the General Plan because these uses are anticipated by these Land Use Designations that provide for commerce, emergency shelters (as mandated by state law), residences and their accessory uses, and are consistent with the appropriate Use Regulations. A future use may be located throughout the unincorporated areas of the County and would be subject to the policies of the appropriate Community Plan. The addition of future temporary uses exempt from the regulations of the Zoning Ordinance allowed only during, immediately following or throughout the recovery efforts of a declared disaster would not have a significant impact since these uses would be subject to CEQA review and would be removed completely after the completion of the recovery efforts. None of the County's Community Plans include policies that discourage or conflict with any of these uses. Therefore, the project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.

**X. MINERAL RESOURCES** -- Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Amendments may be located within land classified by the California Department of Conservation – Division of Mines and Geology (Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region, 1997)

as an area where geologic information indicates no significant mineral deposits are present (MRZ-1). Some future uses allowed pursuant to these Amendments may be located within a region where geologic information indicates significant mineral deposits are present as identified on the County of San Diego's Mineral Resources Map prepared by the County of San Diego. Based on the scale and/or the economic value of future projects, the proposed amendment will not result in the future inaccessibility for recovery of the on-site mineral resources. Therefore, no potentially significant loss of availability of a known mineral resource of value to the region and the residents of the state will occur as a result of this project. Moreover, if the resources are not considered significant mineral deposits, loss of these resources cannot contribute to a potentially significant cumulative impact.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The proposed uses allowed by these Amendments affect residential, commercial and industrial zones which are not considered to be Extractive Use Zones (S-82) nor do they have an Impact Sensitive Land Use Designation (24) with an Extractive Land Use Overlay (25) (County Land Use Element, 2000). Based on the scale and/or the economic value of the project, the proposed amendment will not result in the future inaccessibility for recovery (extraction) of the on-site mineral resources. Therefore, no potentially significant loss of availability of a known mineral resource of locally important mineral resource recovery (extraction) site delineated on a local general plan, specific plan or other land use plan will occur as a result of this project.

**XI. NOISE** -- Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The future uses allowed pursuant to these Amendments may be located throughout the unincorporated areas of San Diego County in various settings and locations. The project will not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations for the following reasons:

#### General Plan – Noise Element

The County of San Diego General Plan, Noise Element, Policy 4b addresses noise sensitive areas and requires an acoustical study to be prepared for any use that may expose noise sensitive areas to noise in excess of a Community Noise Equivalent Level (CNEL) of 60 decibels (dB(A)). Moreover, if the project is excess of CNEL 60 dB(A), modifications must be made to the project to reduce noise levels. Noise sensitive areas include residences, hospitals, schools, libraries or similar facilities where quiet is an important attribute. Project implementation is not expected to expose existing or planned noise sensitive areas to road, airport, heliport, railroad, industrial or other noise in excess of the CNEL 60 dB(A) because the proposed future uses are not considered noise sensitive. The proposed amendment to the Zoning Ordinance to exempt Recycling Processing Facility, Wood and Green Materials from requirement that it be in an enclosed building would not produce excess noise since the future operations would be subject to existing performance standards in the Zoning Ordinance including Noise Limits based on the zoning of the future project site. Therefore, the project will not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, Noise Element.

#### Ramona Community Plan

The County of San Diego General Plan, Ramona Community Plan, has a standard of CNEL 55 dB(A) for all projected noise contours near main circulation roadways, airports and other noise sources and requires mitigation if this level is exceeded. Future uses allowed pursuant to these Amendments are not considered noise sensitive. The proposed amendment to the Zoning Ordinance to exempt Recycling Processing Facility, Wood and Green Materials from requirement that it be in an enclosed building would not produce excess noise since the future operations would be subject to existing performance standards in the Zoning Ordinance including Noise Limits based on the zoning of the future project site. The project implementation is not expected to expose existing or planned noise sensitive areas to road, airport, heliport, railroad, industrial or other noise in excess of the CNEL 55 dB(A) since all future uses must conform. Therefore, the project will not expose people to potentially significant noise levels that exceed the allowable limits of the Ramona Community Plan.

#### Noise Ordinance – Section 36-404

Non-transportation noise generated by the future uses allowed pursuant to these Amendments is not expected to exceed the standards of the County of San Diego Noise

Ordinance (Section 36-404) at or beyond the future project's property line. The proposed amendment to the Zoning Ordinance to exempt Recycling Processing Facility, Wood and Green Materials from requirement that it be in an enclosed building would not produce excess noise since the future operations would be subject to existing performance standards in the Zoning Ordinance including Noise Limits based on the zoning of the future project site. This use is allowed on sites zoned C37, C38 and C40 that have a one-hour average sound limit of 60dB between 7 am and 10 pm, on sites zoned M50, M52, M54 that have a one-hour average sound limit of 70dB, and on sites zones M56 and M58 that have a one-hour average sound limit of 75dB. Since these uses are required to comply with the noise ordinance the project would not exceed applicable noise levels.

#### Noise Ordinance – Section 36-410

Some future uses allowed pursuant to these Zoning Ordinance Amendments are expected to require building permits, grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which are subject to noise ordinance. These future projects would not generate construction noise that may exceed the standards of the County of San Diego Noise Ordinance (Section 36-410). Construction operations would occur only during permitted hours of operation pursuant to Section 36-410. Also, It is not anticipated that the future projects would operate construction equipment in excess of an average sound level of 75dB between the hours of 7 AM and 7 PM. The amendment to the Zoning Ordinance proposes to add certain commercial use types "Subject to a Major Use Permit" in the M54 Use Regulations (including Explosives Storage, Funeral and Interment Services and Scrap Operations) which are currently permitted subject to a Major Use Permit in the M54 Use Regulations and were inadvertently omitted from the Zoning Ordinance text in a previous ordinance amendment. These uses would be evaluated for potential noise impacts at the time of the review of the Major Use Permit. This change to the Zoning Ordinance text to correct a typographical error would not result in the generation of noise levels in excess of standards established in the local noise ordinance.

Finally, the project's conformance to the County of San Diego General Plan (Noise Element, Policy 4b and Ramona Community Plan) and County of San Diego Noise Ordinance (Section 36-404 and 36.410) ensures the project will not create cumulatively considerable noise impacts, because the project will not exceed the local noise standards for noise sensitive areas; and the project will not exceed the applicable noise level limits at the property line or construction noise limits, derived from State regulation to address human health and quality of life concerns. Therefore, the project will not contribute to a cumulatively considerable exposure of persons or generation of noise levels in excess of standards established in the local general plan, noise ordinance, and applicable standards of other agencies.

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The project does not propose any major, new or expanded infrastructure such as mass transit, highways or major roadways or intensive extractive industry that could generate excessive groundborne vibration or groundborne noise levels and impact vibration sensitive uses in the surrounding area. Therefore, the project will not expose persons to or generate excessive groundborne vibration or groundborne noise levels on a project or cumulative level.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. As indicated in the response listed under Section XI Noise, Question a., the project would not expose existing or planned noise sensitive areas in the vicinity to a substantial permanent increase in noise levels that exceed the allowable limits of the County of San Diego General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control. Studies completed by the Organization of Industry Standards (ISO 362; ISO 1996 1-3; ISO 3095; and ISO 3740-3747) state an increase of 10 dB is perceived as twice as loud and is perceived as a significant increase in the ambient noise level.

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some of the future uses allowed pursuant to these Amendments would not involve any uses that may create substantial temporary or periodic increases in ambient noise levels in the project vicinity including but not limited to extractive industry; or industrial uses that involve crushing, cutting, drilling, grinding, or blasting of raw materials; truck depots, transfer stations or delivery areas; or outdoor sound systems. Some future uses allowed pursuant to these Amendments may create substantial temporary or periodic increases in ambient noise levels including but not limited to industrial uses that involve the cutting or grinding of recycled green materials, however, these future operations would be subject to existing performance standards in the Zoning Ordinance including Noise Limitations. The Amendments also propose the allowance of future temporary outdoor commercial uses for certain commercial or industrial zones for the sale of seasonal items or for the sale of vehicles, boats and trailers. However, these uses would be located on existing commercial or industrial sites where retail sales or vehicle sales are allowed and no outdoor sound systems would be allowed. Some future projects are expected to require building permits, grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which could generate noise. However, general construction noise is not expected to exceed the construction noise limits of the County of San Diego Noise Ordinance (Section 36-410), which are derived from State regulations to address human health and quality of life concerns. Construction operations would occur only during permitted hours of operation pursuant to Section 36-410. Also, it is not anticipated that the project will operate construction equipment in excess of 75 dB for more than an 8 hours during a 24-hour period. Therefore, the project would not result in a substantial temporary or periodic increase in existing ambient noise levels in the project vicinity.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Amendments could be located within a Comprehensive Land Use Plan (CLUP) for airports or within 2 miles of a public use airport. However, the uses proposed pursuant

to these proposed Amendments are not considered noise sensitive uses that would be impacted by noise generated by an airport. Therefore, the project will not expose people residing or working in the project area to excessive airport-related noise on a project or cumulative level.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Amendments could be located within the vicinity of a private airstrip. However, the uses proposed pursuant to these proposed Amendments are not considered noise sensitive uses that would be impacted by noise generated by an airport. Therefore, the project will not expose people residing or working in the project area to excessive airport-related noise on a project or cumulative level.

**XII. POPULATION AND HOUSING** -- Would the project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The future uses allowed pursuant to these Amendments would not induce substantial population growth in an area because the project does not propose any physical or regulatory change that would remove a restriction to or encourage population growth in an area including, but limited to the following: new or extended infrastructure or public facilities; new commercial or industrial facilities; large-scale residential development; accelerated conversion of homes to commercial or multi-family use; or regulatory changes including General Plan amendments, specific plan



amendments, zone reclassifications, sewer or water annexations; or LAFCO annexation actions.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The proposed Amendments allow for uses in commercial, industrial and residential zones subject to specified standards and limitations. The proposed amendment to define Supportive Housing and Transitional Housing and to allow Emergency Shelters (as mandated by state law) as a use allowed by-right in certain zones could provide additional temporary housing for homeless persons, subject to specified standards and limitations. Therefore, the proposed project will not displace any existing housing.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The proposed Amendments allow for uses in commercial, industrial and residential zones subject to specified standards and limitations. The proposed amendment to allow Emergency Shelters (as mandated by state law) could provide additional temporary housing for homeless persons, subject to specified standards and limitations. Therefore, the proposed project will not displace a substantial number of people.

### **XIII. PUBLIC SERVICES**

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or

physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for any of the public services:

- i. Fire protection?
- ii. Police protection?
- iii. Schools?
- iv. Parks?
- v. Other public facilities?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The project proposes commercial, industrial and residential uses in the same zones; the proposed amendments will no result in the need for significantly altered services or facilities. In addition, the project does not involve the construction of new or physically altered governmental facilities including but not limited to fire protection facilities, sheriff facilities, schools, or parks in order to maintain acceptable service ratios, response times or other performance service ratios or objectives for any public services. Therefore, the project will not have an adverse physical effect on the environment because the project does not require new or significantly altered services or facilities to be constructed.

#### **XIV. RECREATION**

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The project does not propose any residential use, included but not limited

to a residential subdivision, mobilehome park, or construction for a single-family residence that may increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The project does not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, the construction or expansion of recreational facilities cannot have an adverse physical effect on the environment.

**XV. TRANSPORTATION/TRAFFIC** -- Would the project:

- a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The future uses allowed pursuant to these Amendments are would not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system since the proposed temporary outdoor sales uses would be conducted on existing commercial or industrial properties where the sales of the items is already permitted and the other proposed amendments would not make changes to the allowed uses that would generate additional traffic. Therefore, the project will not have a significant direct project impact on traffic volume,

which is considered substantial in relation to existing traffic load and capacity of the street system. Also refer to the answer for XV. b. below.

- b) Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency and/or as identified by the County of San Diego Transportation Impact Fee Program for designated roads or highways?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Discussion/Explanation:

**Less than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The future uses allowed pursuant to these Amendments are would not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system since the proposed temporary outdoor sales uses would be conducted on existing commercial or industrial properties where the sales of the items is already permitted and the other proposed amendments would not make changes to the allowed uses that would generate additional traffic. These future projects are expected to require building permits, grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which are subject to the Transportation Impact Fee (TIF) program to fund improvements to roadways necessary to mitigate potential cumulative impacts caused by traffic from future development.

The County of San Diego has developed an overall programmatic solution that addresses existing and projected future road deficiencies in the unincorporated portion of San Diego County. This program commits the County to construct additional capacity on Circulation Element roadways and includes the adoption of a Transportation Impact Fee (TIF) program to fund improvements to roadways necessary to mitigate potential cumulative impacts caused by traffic from future development. This program is based on a summary of projections method contained in the County of San Diego Transportation Impact Fee Report dated January 2005, and amended February 2008. This document is considered an adopted planning document which meets the definition referenced in the State CEQA Guidelines Section 15130 (b)(1)(B), which evaluates regional or area wide conditions contributing to cumulative transportation impacts. Based on SANDAG regional growth and land use forecasts, the SANDAG Regional Transportation Model was utilized to analyze projected build-out (year 2030) development conditions on the existing circulation element roadway network throughout the unincorporated area of the County. Based on the results of the traffic modeling, public and private funding necessary to construct transportation facilities including capacity enhancing improvements that will mitigate cumulative impacts from new development was identified. Existing roadway deficiencies will be corrected through

improvement projects funded by public funding sources, such as TransNet, gas tax, and grants. Potential cumulative impacts to the region's freeways have been addressed in SANDAG's Regional Transportation Plan (RTP). This plan, which considers freeway buildout over the next 30 years, will use funds from TransNet, state, and federal funding to improve freeways to projected level of service objectives in the RTP. Therefore, the future project's payment of the TIF, which would be required at issuance of building permit, would mitigate potential cumulative traffic impacts to less than significant. In addition, future projects could, as mitigation for the project's proportionate share of this cumulative impact, be required to contribute a fair share contribution toward the construction of intersection improvements and signalization, as described in County Board of Supervisors Policy J-25, "Participation by Individuals, Organizations, Private Developers, or Other Jurisdictions in the Installation of Traffic Signals".

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Amendments may be located within an Airport Master Plan Zone or adjacent to a public or private airport. The main compatibility concerns for the protection of airport airspace are related to airspace obstructions (building height, antennas, etc.) and hazards to flight (wildlife attractants, distracting lighting or glare, etc.). Any future structures will be limited in size and height to limitations placed on any other commercial, industrial or residential structure located in the same zones, in compliance with the applicable ALUCP/CLUP. The proposed amendment to the Zoning Ordinance to allow exceptions to the height limitations would not have a substantial adverse effect on air traffic patterns or airport airspace because these uses are required to obtain a Minor Use Permit or a Site Plan prior to approval of a project. Any potential impacts would be evaluated and mitigated as necessary during the required discretionary review. Therefore the project would not result in a change in air traffic patterns because the allowable land uses within airport safety zones are created for the purpose of ensuring ongoing airport safety, including maintenance of air traffic patterns. Furthermore, future projects would not exceed the FAR Part 77 criteria related to airspace obstructions. Refer also to section VII.e Hazards and Hazardous Materials. Therefore, the proposed project will not have a significant impact on air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Amendments may be located on developed sites which will not alter traffic patterns, roadway design, place incompatible uses (e.g., farm equipment) on existing roadways, or create or place curves, slopes or walls which impede adequate site distance on a road. Some future projects are expected to require building permits, grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which would be required to provide safe and adequate site distances at all driveways and intersections to the satisfaction of the Director of the Department of Public Works. All road improvements would be constructed according to the County of San Diego Public and Private Road Standards. Roads used to access the future project sites would be required to meet County standards. In addition, the proposed project will not place incompatible uses (e.g., farm equipment) on existing roadways, since the proposed uses allowed pursuant to these Amendments do not introduce new uses in any zones that are incompatible with existing uses and no amendments are proposed in the agricultural regulations. Therefore, the proposed project will not significantly increase hazards due to design features or incompatible uses.

e) Result in inadequate emergency access?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Amendments may be located on developed sites which would have adequate emergency access in place. Some future projects are expected to require building permits, grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which would be reviewed by the local Fire Protection District that would determine that there is adequate emergency fire access provided prior to the approval of any permits. Therefore, these Amendments will not result in inadequate emergency access.

f) Result in inadequate parking capacity?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The Zoning Ordinance Section 6766 Parking Schedule requires provision for on-site parking spaces based upon the maximum number of persons permitted to occupy the premise. Some future uses allowed pursuant to these Amendments would not alter the requirements for on-site parking on existing developed sites. The proposed temporary outdoor sales of vehicles use would not reduce the required parking on existing commercial or industrial sites since the amendment allows this use to use only the parking spaces that are in excess of the required minimum for the uses on the site. The proposed Amendment to allow Emergency Shelters by-right in certain zones includes a parking provision for on-site parking spaces based upon the maximum number of persons permitted to occupy the premises. Therefore, the proposed project is providing sufficient on-site parking capacity when considering the type of use and number of employees.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Amendments would not result in any construction or new road design features on existing developed sites. Some future projects are expected to require building permits, grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which would be reviewed for conformance with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks) and any required improvements will be constructed to maintain existing conditions as it relates to pedestrians and bicyclists. Therefore, the proposed

project will not conflict with policies regarding alternative transportation and would not propose any hazards or barriers for pedestrians or bicyclists.

**XVI. UTILITIES AND SERVICE SYSTEMS** -- Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Amendments will not involve any uses that will discharge any wastewater to sanitary sewer or on-site wastewater systems (septic). Some future projects are expected to require building permits, grading permits, on-site wastewater system (OSWS) permits, also known as septic systems and well permits, as well as other discretionary and ministerial permits. Discharged wastewater must conform to the Regional Water Quality Control Board's (RWQCB) applicable standards, including the Regional Basin Plan and the California Water Code. California Water Code Section 13282 allows RWQCBs to authorize a local public agency to issue permits for OSWS "to ensure that systems are adequately designed, located, sized, spaced, constructed and maintained." The RWQCBs with jurisdiction over San Diego County has authorized the County of San Diego, Department of Environmental Health (DEH) to issue certain OSWS permits throughout the County and within the incorporated cities. DEH would review the OSWS lay-out for future projects pursuant to DEH, Land and Water Quality Division's, "On-site Wastewater Systems: Permitting Process and Design Criteria." DEH would approve a project's OSWS prior to issuance of any building permits for use of a site. Some future uses would discharge domestic waste to a community sewer system that is permitted to operate by the Regional Water Quality Control Board (RWQCB). Prior to issuance of any building permits, a project facility availability form would be required from the appropriate district that indicates the district will serve the project. Therefore, because future projects would be discharging wastewater to a RWQCB permitted on-site wastewater system (OSWS) or a community sewer system and will be required to satisfy any required conditions, the proposed project is consistent with the wastewater treatment requirements of the RWQCB, including the Regional Basin Plan. Therefore, the project will not exceed any wastewater treatment requirements and the proposed project is consistent with the wastewater treatment requirements of the RWQCB as determined by the authorized, local public agency.



- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Discussion/Explanation:

**Less than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. The future uses allowed pursuant to these Amendments do not include new or expanded water or wastewater treatment facilities. In addition, the project does not require the construction or expansion of water or wastewater treatment facilities. Some future projects are expected to require building permits, grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which would be required to demonstrate that indicate adequate water and/or wastewater treatment facilities would be available to the project from the appropriate agencies/districts prior to the issuance of permits. Therefore, the proposed project will not require any construction of new or expanded facilities, which could cause significant environmental effects.

- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses would be located on existing developed sites and would not include new or expanded storm water drainage facilities and would not involve any landform modification or require any source, treatment or structural Best Management Practices for storm water. Some future projects are expected to require building permits, grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which could involve new or expanded storm water drainage facilities. However, these future projects would be reviewed and conditioned to ensure that they will not result in adverse physical effect on the environment. Therefore, the project will not require any

construction of new or expanded facilities, which could cause significant environmental effects.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Amendments would not require water services from a water district. Some future projects are expected to require building permits, grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which would require evidence from the appropriate Water District, indicating adequate water resources and entitlements are available to serve the requested water resources prior to the issuance of any building permits for a future project. Therefore, the project will have sufficient water supplies available to serve the project.

- e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Amendments would not produce any wastewater. Some future projects are expected to require building permits, grading permits, on-site wastewater system permits and well permits, as well as other discretionary and ministerial permits which would require evidence from the appropriate wastewater treatment provider that it has adequate capacity to serve a project's projected demand in addition to the provider's existing commitments, prior to the issuance of any building permits for a future project. Therefore, the proposed project will not interfere with any wastewater treatment provider's service capacity.

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Amendments would not generate any solid waste nor place any burden on the existing permitted capacity of any landfill or transfer station within San Diego County. Some future uses allowed pursuant to these Amendments will generate solid waste. All solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board (CIWMB) under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.). There are five, permitted active landfills in San Diego County with remaining capacity. Therefore, there is sufficient existing permitted solid waste capacity to accommodate the project's solid waste disposal needs.

- g) Comply with federal, state, and local statutes and regulations related to solid waste?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less than Significant Impact:** The project proposes Amendments to the County of San Diego Zoning Ordinance to amend the applicability of the ordinance, add new uses, make minor revisions, corrections and clarifications, as described in the attached Zoning Ordinance Amendments. Some future uses allowed pursuant to these Amendments would not generate any solid waste nor place any burden on the existing permitted capacity of any landfill or transfer station within San Diego County. Some future uses allowed pursuant to these Amendments will generate solid waste. All solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California

Integrated Waste Management Board (CIWMB) under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.). Future projects will deposit all solid waste at a permitted solid waste facility and therefore, will comply with Federal, State, and local statutes and regulations related to solid waste.

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE:**

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less than Significant Impact:** Per the instructions for evaluating environmental impacts in this Initial Study, the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in sections IV and V of this form. In addition to project specific impacts, this evaluation considered the projects potential for significant cumulative effects. There is no substantial evidence that there are biological or cultural resources that are affected or associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less than Significant Impact:** Per the instructions for evaluating environmental impacts in this Initial Study, the potential for adverse cumulative effects were considered in the response to each question in sections I through XVI of this form. In addition to project specific impacts, this evaluation considered the projects potential for incremental effects that are cumulatively considerable. As a result of this evaluation, there is no substantial evidence that there are cumulative effects associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

- c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less than Significant Impact:** In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in sections I. Aesthetics, III. Air Quality, VI. Geology and Soils, VII. Hazards and Hazardous Materials, VIII Hydrology and Water Quality XI. Noise, XII. Population and Housing, and XV. Transportation and Traffic. As a result of this evaluation, there is no substantial evidence that there are adverse effects on human beings associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

## **XVIII. REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST**

All references to Federal, State and local regulation are available on the Internet. For Federal regulations refer to <http://www4.law.cornell.edu/uscode/>. For State regulations refer to [www.leginfo.ca.gov](http://www.leginfo.ca.gov). For County regulations refer to [www.amlegal.com](http://www.amlegal.com). All other references are available upon request.

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(Underline indicates addition)

(~~Strikeout~~ indicates deletion)

## **DRAFT**

**ORDINANCE NO. \_\_\_\_\_ (NEW SERIES)**

**AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE TO AMEND THE APPLICABILITY OF THE ORDINANCE, TO ADD EMERGENCY SHELTERS AS AN ALLOWED USE, MAKE MISCELLANEOUS MINOR ADDITIONS TO THE DEFINITIONS, TEMPORARY USE REGULATIONS AND OTHER MISCELLANEOUS REGULATIONS AND MAKE MINOR MODIFICATIONS AND CLARIFICATIONS TO VARIOUS OTHER REGULATIONS.**

**The Board of Supervisors of the County of San Diego ordains as follows:**

**Section 1.** The Board of Supervisors finds and determines that the Zoning Ordinance should be updated by amending or adding various sections regarding applicability of the ordinance, emergency shelters, exceptions to height limit, temporary uses and exceptions to the enclosure regulations. In addition, the Board finds that miscellaneous sections should be amended to clarify or correct language in the sections. The Board finds that these amendments are reasonable and necessary for the public health, safety, convenience, and welfare.

**Section 2.** Section 1006 of the Zoning Ordinance is hereby amended to read as follows:

**1006 APPLICABILITY OF THE ZONING ORDINANCE.**

- a. The Zoning Ordinance shall be applicable to all of the unincorporated areas of San Diego County. The use and employment of all land and any buildings or structures located upon the land and the construction, reconstruction, alteration, expansion, or relocation of any building or structure upon the land shall conform to all regulations applicable to the zone in which the land is located. No land, building, structure or premises shall be used for any purpose or in any manner other than is permitted in the zone in which such land, building, structure or premise is located.
- b. The Zoning Ordinance shall not apply to the development, use, or improvement of new or existing County Parks.
- c. The Zoning Ordinance shall not apply to Indian Reservation lands within the County of San Diego. Such lands are defined as those parcels which are identified as Indian Reservation lands by an Act of the United States Congress.
- d. The Zoning Ordinance shall not apply to federally-owned public lands within the County of San Diego. Such lands are defined as those parcels which are identified as federally-owned public lands by the San Diego County Assessor.

- e. The Zoning Ordinance shall not apply to solid waste management projects undertaken by the County on County-owned land.
- f. The Zoning Ordinance shall not apply to the County of San Diego during, immediately following or throughout the recovery efforts authorized by the County, related to an emergency declared by the Governor of the State of California or the Board of Supervisors of the County of San Diego.

**Section 3.** Section 1110 DEFINITIONS (S) of the Zoning Ordinance is hereby amended to add the term “Supportive Housing”, inserted into the appropriate alphabetical location to read as follows:

Supportive Housing shall have the meaning prescribed in Health and Safety Code 50675.14(b). The design of the structures determines Family Residential or Group Residential Use Type.

**Section 4.** Section 1110 DEFINITIONS (T) of the Zoning Ordinance is hereby amended to add the term “Transitional Housing”, inserted into the appropriate alphabetical location to read as follows:

Transitional Housing shall have the meaning prescribed in Health and Safety Code 50675.2(h). The design of the structures determines Family Residential or Group Residential Use Type.

**Section 5.** Section 1205 of the Zoning Ordinance is hereby amended to read as follows:

**1205 LISTING OF USE CLASSIFICATIONS.**

All uses are hereby classified into the following use types, which are described in Section 1250 through Section 1899, inclusive. See Section 1215 for classification of combinations of uses resembling different types. The names of these use types start with capital letters throughout the Zoning Ordinance.

a. Residential Use Types.

Family Residential  
Group Residential  
Mobilehome Residential

b. Civic Use Types.

Administrative Services  
Ambulance Services  
Child Care Center  
Civic, Fraternal or Religious Assembly  
Clinic Services  
Community Recreation

Cultural Exhibits and Library Services  
Emergency Shelters  
Essential Services  
Fire Protection Services  
Group Care  
Law Enforcement Services  
Major Impact Services and Utilities  
Minor Impact Utilities  
Parking Services  
Postal Services  
Small Schools  
Wind Turbine System, Medium

[c. through f. no changes]

**Section 6.** Section 1334 is hereby added to the Zoning Ordinance, to read as follows:

**1334 EMERGENCY SHELTERS.**

The Emergency Shelters use type refers to housing as defined by subdivision (e) of Section 50801 of the Health and Safety Code.

**Section 7.** Section 1513 of the Zoning Ordinance is hereby amended to read as follows:

**1513 RECYCLING PROCESSING FACILITY**

The Recycling Processing Facility use type refers to establishments or places primarily engaged in processing recyclable materials for the purpose of resource recovery. Processing means the preparation of materials by one or more of the following means: baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding and cleaning. Recycling processing facilities include the following:

- a. Recycling Processing Facility, Light: A light processing facility is limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source separated recyclable materials and repairing of reusable products sufficient to qualify as a certified recycling facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.
- b. Recycling Processing Facility, Heavy: Any facility, other than a light recycling processing facility or scrap operation for processing of recyclable materials.
- c. Recycling Processing Facility, Wood and Green Materials, ~~Light~~: A facility devoted exclusively to grinding or shredding (but not including sawing) of wood and/or green waste.
- d. ~~Recycling Processing Facility, Wood and Green Materials, Heavy: A facility devoted exclusively to grinding or shredding (including sawing) of wood and/or green waste.~~

**Section 8.** Section 2502 of the Zoning Ordinance is hereby amended to read as follows:

**2502 PERMITTED USES.**

The following use types are permitted by the M50 Use Regulations:

a. Civic Use Types.

Ambulance Services  
Community Recreation  
Emergency Shelters (see Section 6911)  
Essential Services  
Fire Protection Services (see Section 6905)  
Law Enforcement Services  
Parking Services  
Postal Services

b. Commercial Use Types.

Automotive and Equipment: Parking  
Recycling Processing Facility, Wood and Green Materials  
Research Services

c. Industrial Use Types.

Custom Manufacturing (see Section 6300)

d. Agricultural Use Types.

Horticulture (all types)  
Tree Crops  
Row and Field Crops  
Packing and Processing: Limited  
Packing and Processing: Winery  
Packing and Processing: General

**Section 9.** Section 2522 of the Zoning Ordinance is hereby amended to read as follows:

**2522 PERMITTED USES.**

The following use types are permitted by the M52 Use Regulations:

a. Civic Use Types.

Ambulance Services  
Community Recreation  
Emergency Shelters (see Section 6911)  
Essential Services  
Fire Protection Services (see Section 6905)  
Law Enforcement Services

Parking Services  
Postal Services

b. Commercial Use Types.

Administrative and Professional Services  
Automotive and Equipment: Parking  
~~Automotive and Equipment: Sales/Rental, Light Equipment (see Section 6800)~~  
Business Equipment Sales and Services  
Business Support Services  
Communications Services  
Laundry Services  
Participant Sports and Recreation: Indoor  
Recycling Processing Facility, Wood and Green Materials  
Research Services  
Wholesaling, Storage and Distribution: Mini-Warehouses (see Section 6300 and Section 6909)

c. Industrial Use Types.

Custom Manufacturing (see Section 6300)

d. Agricultural Use Types.

Horticulture (all types)  
Tree Crops  
Row and Field Crops  
Packing and Processing "Limited"  
Packing and Processing "Winery"  
Packing and Processing "General"

**Section 10.** Section 2523 of the Zoning Ordinance is hereby amended to read as follows:

**2523 PERMITTED USES SUBJECT TO LIMITATIONS.**

The following use types are permitted by the M52 Use Regulations subject to the applicable provisions of Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Commercial Use Types.

Adult Entertainment Establishments "19"  
Agricultural and Horticultural Sales "8" (all types)  
Automotive and Equipment: Cleaning "8"  
Automotive and Equipment: Repairs, Heavy Equipment "8"  
Automotive and Equipment: Repairs, Light Equipment "8"  
Automotive and Equipment: Sales/Rentals, Farm Equipment "9"  
Automotive and Equipment: Sales/Rentals, Heavy Equipment "9"  
Automotive and Equipment: Sales/Rentals, Light Equipment "9" (see Section 6800)

Building Maintenance Services "8"  
Construction Sales and Services "8" (see Section 6300)  
Food and Beverage Retail Sales "10"  
Gasoline Sales "12"  
Recycling Collection Facility, Small or Large "2"  
Recycling Processing Facility, Light or Heavy "3"  
Wholesaling, Storage and Distribution: Light "8" (see Section 6300)

b. Industrial Use Types.

General Industrial "14"

**Section 11.** Section 2542 of the Zoning Ordinance is hereby amended to read as follows:

2542 PERMITTED USES.

The following use types are permitted by the M54 Use Regulations:

a. Civic Use Types.

Ambulance Services  
Community Recreation  
Emergency Shelters (see Section 6911)  
Essential Services  
Fire Protection Services (see Section 6905)  
Law Enforcement Services  
Minor Impact Utilities  
Parking Services  
Postal Services

b. Commercial Use Types.

Administrative and Professional Services  
Agricultural and Horticultural Sales (all types)  
Animal Sales and Services: Veterinary, Large Animals  
Automotive and Equipment: Cleaning  
Automotive and Equipment: Fleet Storage  
Automotive and Equipment: Parking  
Automotive and Equipment: Repairs, Heavy Equipment  
Automotive and Equipment: Repairs, Light Equipment  
Automotive and Equipment: Sales/Rentals, Farm Equipment  
Automotive and Equipment: Sales/Rentals, Heavy Equipment  
Automotive and Equipment: Sales/Rentals, Light Equipment  
Automotive and Equipment: Storage, Recreational Vehicles & Boats  
Building Maintenance Services  
Business Equipment Sales and Services  
Business Support Services  
Communications Services  
Construction Sales and Services (See Section 6300)  
Gasoline Sales



Laundry Services

Participant Sports and Recreation: Indoor

Recycling Processing Facility, Wood and Green Materials

Research Services

Wholesaling, Storage and Distribution: Mini-Warehouses (see Section 6300 and Section 6909)

c. Industrial Use Types.

Custom Manufacturing

d. Agricultural Use Types.

Horticulture (all types)

Tree Crops

Row and Field Crops

Packing and Processing "Limited"

Packing and Processing "Winery"

Packing and Processing "General"

**Section 12.** Section 2545 of the Zoning Ordinance is hereby amended to read as follows:

2545 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the M54 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

Administrative Services

Child Care Center

Civic, Fraternal or Religious Assembly

Clinic Services

Cultural Exhibits and Library Services

Major Impact Services and Utilities

b. Commercial Use Types.

Automotive and Equipment: Storage, Nonoperating Vehicles

Explosive Storage (see Section 6904)

Funeral and Interment Services: Cremating

Participant Sports and Recreation: Outdoor

Scrap Operations (see Section 6300)

Swap Meets

Transient Habitation: Campground (see Section 6450)

c. Extractive Use Types.

Site Preparation

**Section 13.** Section 2582 of the Zoning Ordinance is hereby amended to read as follows:

**2582 PERMITTED USES.**

The following use types are permitted by the M58 Use Regulations:

a. Civic Use Types.

Ambulance Services  
Community Recreation  
Emergency Shelters (see Section 6911)  
Essential Services  
Fire Protection Services (see Section 6905)  
Law Enforcement Services  
Minor Impact Utilities  
Parking Services  
Postal Services

b. Commercial Use Types.

Administrative and Professional Services  
Agricultural and Horticultural Sales (all types)  
Animal Sales and Services: Veterinary, Large Animals  
Automotive and Equipment: Cleaning  
Automotive and Equipment: Fleet Storage  
Automotive and Equipment: Parking  
Automotive and Equipment: Repairs, Heavy Equipment  
Automotive and Equipment: Light Equipment  
Automotive and Equipment: Sales/Rentals, Farm Equipment  
Automotive and Equipment: Sales/Rentals, Heavy Equipment  
Automotive and Equipment: Sales/Rentals, Light Equipment  
Automotive and Equipment: Storage, Recreational Vehicles and Boats  
Building Maintenance Services  
Business Equipment Sales and Services  
Business Support Services  
Communications Services  
Construction Sales and Services (See Section 6300)  
Gasoline Sales  
Laundry Services  
Participant Sports and Recreation: Indoor  
Recycling Processing Facilities, Wood and Green Materials  
Research Services  
Wholesaling, Storage and Distribution: Mini-Warehouses (see Section 6300 and Section 6909)

c. Industrial Use Types.

Custom Manufacturing (see Section 6300)

d. Agricultural Use Types.

Horticulture (all types)  
Tree Crops  
Row and Field Crops  
Packing and Processing (all types)

**Section 14.** Section 2703 of the Zoning Ordinance is hereby amended to read as follows:

**2703 PERMITTED USES SUBJECT TO LIMITATIONS.**

The following use types are permitted by the A70 Use Regulations subject to the applicable provisions of Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Residential Use Types

Mobilehome Residential "18"

b. Commercial Use Types

Animal Sales and Services: Veterinary (Large Animals) "6"

Animal Sales and Services: Veterinary (Small Animals) "6"

~~Cottage Industries "17" (see Section 6920)~~

Recycling Collection Facility, Small "2"

Recycling Processing Facility, Wood and Green Materials "3"

c. Agricultural Use Types

Packing and Processing: Boutique Winery "22" (see Section 6910)

**Section 15.** Section 2704 of the Zoning Ordinance is hereby amended to read as follows:

**2704 USES SUBJECT TO A MINOR USE PERMIT.**

The following use types are allowed by the A70 Use Regulations upon issuance of a Minor Use Permit.

a. Civic Use Types.

Law Enforcement Services

Minor Impact Utilities

Small Schools

b. Agricultural Use Types.

Farm Labor Camps

c. Commercial Use Types

Cottage Industries "17" (see Section 6920)

**Section 16.** Section 2875 of the Zoning Ordinance is hereby amended to read as follows:

2875 USES SUBJECT TO A MAJOR USE PERMIT.

In addition to the Use Types permitted by Section 2872 through 2874, above, all other Use Types, with the exception of Adult Entertainment Establishments and Emergency Shelters, are permitted by the S87 Use Regulations upon issuance of a Major Use Permit.

**Section 17.** Section 2990, USE MATRIX page 1 and page 2 of the Zoning Ordinance are hereby amended to read as follows:

(changes only to page 1 [adding 1334: Emergency Shelters to use matrix] and 2 [changing notation of Automotive and Equipment: Sales/Rentals, Light Equipment in the M52 from "Permitted" to Note "9"]).

## SUMMARY PREPARED PURSUANT TO SECTIONS 2990 AND 6816

USE TYPES	
<b>RESIDENTIAL</b>	
Family Residential	
Group Residential	
Mobilehome Residential	
<b>CIVIC</b>	
Enclosed	
Open	
Drive-in	
Administrative Services	
Ambulance Services	
Clinic Services	(see Sec. 6900)
Community Recreation	
Cultural Exhibits and Library Services	
Child Care Center	
Emergency Shelters	(see Sec. 6911)
Essential Services	
Fire Protection Services	(see Sec. 6905)
Group Care	
Law Enforcement Services	
Civic, Fraternal or Religious Assembly	
Major Impact Services and Utilities	
Minor Impact Services	
Parking Services	
Small Schools	
Wind Turbine System, Med.	(see Sec. 6950)

**MATRIX  
LEGEND**

- Permitted
- A Permitted by Administrative Permit
- S Permitted by Site Plan
- m Permitted by Minor Use Permit
- M Permitted by Major Use Permit
- P Permitted Only Within Planned Developments of 20 Acres or Larger

1-22 Subject to Limitations (See Section 2980)  
 \* May Be Subject to Site Plan Approval  
 + Other Uses Not Shown on Matrix May Be Permitted  
 (See Text of Use Regulations)  
 O Subject to Limitations (See Sections 2812 and 2818)  
 E Exceptions to Enclosure Matrix (See Section 6814)

## SUMMARY PREPARED PURSUANT TO SECTIONS 2990 AND 6816

**Commercial  
continued on  
next page**

USE TYPES		COMMERCIAL																										Use Regulations	
		Enclosed Semi-Enclosed Open	Drive-In	Administrative and Professional Services	Adult Entertainment Establishments	Agricultural & Horticultural Sales	a) Agricultural Sales	b) Horticultural Sales	c) Animal Sales and Services	d) Auctioning	e) Grooming	f) Horse Stables	g) Kennels	h) Stockyards	i) Veterinary [Large Animal]	j) Veterinary [Small Animal]	Automotive and Equipment	a) Cleaning	b) Fleet Storage	c) Parking	d) Repairs	e) Repairs [Heavy Equipment]	f) Sales/Rentals [Light Equipment]	g) Sales/Rentals [Farm Equipment]	h) Sales/Rentals [Heavy Equipment]	i) Storage [Nonoperating Vehicles]	j) Storage [Recreation Vehicles & Boats]		
1400	See Section 6816	1410	6930	1415			1420	1425							1430														
RESIDENTIAL																													
RS					P		P	P			16	16						P									RS	Single-Family Residential	
RD					P		P	P			16	16						P									RD	Duplex/Two-Family Residential	
RM					P		P	P			16	16						P									RM	Multi-Family Residential	
RV					P		P	P			16	16						P									RV	Variable Family Residential	
RU					P		P	P			16	16						P									RU	Urban Residential	
RMH					P		P	P										P									RMH	Mobilehome Residential	
RR											16	16															RR	Rural Residential	
RRO*					P		P	P			16	16			P			P									RRO*	Recreation-Oriented Residential	
RC					4		m	m			m	16	16			P		P									RC	Residential-Commercial	
COMMERCIAL																													
C30					m						16	16						m									C30	Office-Professional	
C31					m						16	16						m									C31	Residential/Office Professional	
C32					m						16	16						m									C32	Convenience Commercial	
C34*					m	M	m					16	16		M								m			M	C34*	Gen. Commercial/Residential	
C35					m	M	m					16	16		M								m			M	C35	Gen. Comm./Ltd. Residential	
C36					m	M						16	16				M			8						M	C36	General Commercial	
C37												16	16														C37	Heavy Commercial	
C38												16	16														C38	Service Commercial	
C40												16	16		M												C40	Rural Commercial	
C42*					20																						C42*	Visitor Serving Commercial	
C44												16	16													M	C44	Freeway Commercial	
C46*												16	16														C46*	Medical Center	
INDUSTRIAL																													
M50					m	M	m	5	19			16	16														M50	Basic Industrial	
M52					m	M	m		19		8	8					8			8	8	9	9	9			M52	Limited Impact Industrial	
M54									19				14													M	M54	General Impact Industrial	
M56+																											M56+	Mixed Industrial	
M58									19				14				16	16	M							9	M58	High Impact Industrial	
AGRICULTURAL																													
A70											M	M				16	16		6	6							A70	Limited Agriculture	
A72											M	M		M		16	16		6	6							A72	General Agriculture	
SPECIAL PURPOSE																													
S80*					S	M										16	16					M					S80*	Open Space	
S81																											S81	Ecological Resource Area	
S82																	16	16								M	S82	Extractive	
S86																	16	16									S86	Parking	
S87+																											S87+	Limited Control	
S88+																											S88+	Specific Plan Area	
S90+																											S90+	Holding Area	
S92																											S92	General Rural	
S94+																	16	16		6	6						S94+	Transportation & Utility Corridor	
SWF																							m				SWF	Solid Waste Facility	

- Permitted
- A Permitted by Administrative Permit
- S Permitted by Site Plan
- m Permitted by Minor Use Permit
- M Permitted by Major Use Permit
- P Permitted Only Within Planned Developments of 20 Acres or Larger

- |      |  |
|------|--|
| 1-22 | Subject to Limitations (See Section 2980)  |
| *    | May Be Subject to Site Plan Approval   |
| +    | Other Uses Not Shown on Matrix May be Permitted<br>(See Text of Use Regulations) |
| O    | Subject to Limitations (See Sections 2812 and 2818)                              |
| E    | Exceptions to Enclosure Matrix (See Section 6814)                                |

**Section 18.** Section 4620 of the Zoning Ordinance is hereby amended to read as follows:

4620            PERMITTED EXCEPTIONS TO HEIGHT LIMITS.

The following structures shall be exempt from the maximum height provisions of an applicable height designator:

- a.        Radio and television receiving antennas no more than 200 feet in height of the type customarily used for home radio and television receivers.
- b.        Transmitting antennas no more than 200 feet in height used by licensed amateur (ham) or citizens band radio operators.
- c.        Flagpoles no more than 50 feet in height; provided, however, that flagpoles used as signs or attention-attracting devices shall be subject to the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- d.        Signs no more than 50 feet in height except as otherwise limited by the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- e.        Grain elevators, silos, water tanks, barns, and all other structures functionally used for agriculture which are located in agricultural zones or S92 Use Regulations; provided that no such structure shall be more than 50 feet in height.
- f.        Chimneys no more than 100 feet in height located in industrial zones; and all other chimneys extending no more than 3 feet above the highest point on the roof of the building to which they are attached.
- g.        Any structure for which a Major Use Permit is granted pursuant to other provisions of this ordinance, when the Major Use Permit authorizes an exemption to the height regulations.
- h.        Any structure used primarily to contain or support an Essential Services or Fire Protection Services use.
- i.        Solar energy collection equipment extending not more than 5 feet above the highest point of the roof.
- j.        Wind turbines, windmills, wind-driven water pumps and appurtenant structures required for the function thereof.
- k.        Meteorological Testing (MET) Facility of less than 200 feet in height permitted in accordance with Section 6123.

**Section 19.** Section 4622 of the Zoning Ordinance is hereby amended to read as follows:

4622            EXCEPTIONS TO HEIGHT LIMITS WITH MINOR USE PERMIT.

Except as otherwise provided by Section 4620, the following structures may be erected and maintained above the maximum height permitted by an applicable height designator upon the issuance of a minor use permit therefore; provided, however, no such structure above such height limit shall be used for sleeping or eating quarters or for any commercial purpose other than such as may be incidental to the permitted uses of the main building:

- a. Radio and television receiving antennas greater than 200 feet in height of the type customarily used for home radio and television receivers.
- b. Transmitting antennas greater than 200 feet in height used by licensed amateur (ham) radio operators; and all transmitting antennas used by other than licensed amateur (ham) or citizens band radio operators.
- c. Flagpoles greater than 50 feet in height; provided, however, that flagpoles used as signs or attention-attracting devices shall be subject to the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- d. Signs greater than 50 feet in height except as otherwise limited by the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- e. Grain elevators, silos, water tanks, barns, and all other structures greater than 50 feet in height functionally used for agriculture which are located in agricultural zones or S92 Use Regulations; grain elevators silos, and water tanks not located in agricultural zones or S92 Use Regulations.
- f. Chimneys greater than 100 feet in height located in industrial zones; and all other chimneys extending more than 3 feet above the highest point on the roof of the building to which they are attached.
- g. Towers, gables, spires, steeples, sundecks, scenery lofts, cupolas, and similar structures and necessary mechanical appurtenances; provided, however, that no such structure may extend more than 20 feet above the maximum height specified by the applicable height designator if of combustible materials.
- h. Penthouse; provided, however, that no penthouse shall exceed 28 feet in height above the roof when used as an enclosure for tanks or for elevators which run to the roof and in all other cases shall not extend more than 12 feet in height above the roof; and further provided, however, that the aggregate area of all penthouses and other roof structures shall not exceed 33-1/3 percent of the area of the supporting roof.
- i. Solar energy collection equipment.
- j. Wireless Telecommunications Facilities.

**Section 20.** Section 5462 of the Zoning Ordinance is hereby amended to read as follows:



5462 FLOOD CONTROL FACILITIES.

All flood control structures and facilities are subject to the following conditions:

- a. Adopted Plan. Concrete flood control channels shall be constructed only in accordance with a plan adopted by the Board of Supervisors.
- b. Construction Without Adopted Plan. If a plan for channelizing a watercourse has not been adopted, earth, sack cement, rip rap or similar flood control structures or facilities shall include plans satisfactory to the Director of the Department of ~~Sanitation and Flood Control~~ Public Works, to connect to future compatible flood control structures or facilities upstream and downstream.

**Section 21.** Section 5804 of the Zoning Ordinance is hereby amended to read as follows:

5804 LIMITATION ON USE AND CONSTRUCTION.

No use or construction otherwise permitted is allowed on land subject to the Planned Development Area Regulations except as follows:

- a. Development of a planned development in accordance with the Planned Development Standards is allowed pursuant to a Major Use Permit.
- b. Civic Use Types are permitted provided that a Major Use Permit is granted for any Civic Use Type (other than Essential Services) for which a use permit is not otherwise required.
- c. The ~~Planning Commission~~ Director may waive the application of this Section to a parcel of not more than 5 acres in area upon a finding that such waiver is consistent with the General Plan and the purposes of these regulations.
- d. The Director may waive the application of this section for a parcel of 5 acres or more for the development of one single-family dwelling upon a finding that such waiver is consistent with the General Plan and the purposes of these regulations.

For purposes of applying this section, the term "use" shall not include divisions of land into parcels each of which has a gross area of 40 acres or larger.

**Section 22.** Section 6102 of the Zoning Ordinance is hereby amended to read as follows:

6102 IDENTIFICATION OF PERMITTED TEMPORARY USES.

The following temporary uses shall be permitted as specified by these regulations:

- a. Circus, Carnival, or Other Outdoor Entertainment Event. The temporary gathering of people for a circus, carnival, or other outdoor entertainment event.
- b. Antique or Art Show on Public Property. The temporary use of public property for antique or art shows.

- c. Civic, Fraternal or Religious Assembly. The temporary gathering by an organization listed in Section 1348 on public or private property that is not the regular gathering place for that organization.
- d. Construction Support. Temporary building and structures supporting residential development and major construction.
- e. Reversible Uses of Future Highway Rights-of-Way. Temporary uses on land required for a future County or State Highway.
- f. Travel Trailer Park. The temporary operation of a travel trailer park.
- g. Uses in New Subdivisions. Temporary uses in new subdivisions and other residential developments which support the sale of dwellings and lots within the same subdivision or residential development.
- h. Use of Trailer Coach. Temporary use of a trailer coach for certain purposes.
- i. Use of Public School Sites. Temporary use of a public school site for certain specified purposes.
- j. Certified Farmers' Market. Temporary use of certain public or commercial property for a Certified Farmers' Market.
- k. Meteorological Testing (MET) Facility. Temporary use of a Meteorological Testing (MET) Facility permitted in accordance with Section 6123.
- l. Temporary Outdoor Sales. Temporary outdoor sales, incidental to the existing commercial uses on a site, in certain commercial or industrial zones.

**Section 23.** Section 6124 is hereby added to the Zoning Ordinance, to read as follows:

**6124 TEMPORARY OUTDOOR SALES.**

Temporary outdoor sales, incidental to the existing commercial uses on the site, may be allowed in compliance with all of the following provisions:

- a. Seasonal sales of pumpkins or Christmas trees. The establishment of a temporary sales lot for the seasonal sale of pumpkins or Christmas trees associated with a recognized holiday is allowed subject to all of the following:
  - 1. Location. The sales lot area shall be located on a paved site with an existing commercial or industrial development within the C34, C35, C36, C37, C40, C42, M52, M54, M58 Use Regulations, on developed commercial sites in the S87 Use Regulations or in similar areas of planned developments and specific plans, unless otherwise prohibited. Sales lots are not allowed on vacant properties.

2. Duration. The period of operation shall be between October 1 and October 31 for the sale of pumpkins and between Thanksgiving and December 26 for Christmas trees. The facility shall be removed and the premises cleared of all debris and restored to the condition prior to the establishment of the sales event within 10 days after the required end of the sale.
3. Size. The sales lot area shall not exceed 10 percent of the parking area or 10,000 square feet, whichever is less and shall be located most distant from the existing commercial buildings on the property when feasible, to maintain customer parking closest to the buildings. No handicap accessible parking spaces shall be obstructed.
4. Fencing. Temporary fencing up to six feet in height around the sales lot area is allowed.
5. Temporary Power. A permit for temporary power shall be obtained, as required by the Building Division, for sales lots requiring electrical service.
6. Site Plan Modification, Minor Deviation or Waiver Not Required. For properties that are subject to Sections 5200, 5750, 5800 or 5900, a Site Plan Modification, Minor Deviation or a Site Plan Waiver will not be required for temporary outdoor sales that comply with all provisions of this subsection.
7. Additional Limitations.
  - a) The seller shall obtain any required licenses or permits from the Sheriff pursuant to the Uniform Licensing Procedure of the County Code.
  - b) The sales lot area shall comply with the fire prevention standards as approved and enforced by the local Fire Protection District.
  - c) Adequate temporary sanitation facilities shall be provided.
  - d) The temporary sales lot area shall not be used for the sale of any merchandise not directly associated with pumpkins or with Christmas trees and Christmas decorations.
  - e) The sale of food and beverages is prohibited.

This subsection shall not authorize activities otherwise regulated pursuant to Section 6106.

- b. Vehicles, Trailers or Boats. The establishment of a temporary sales lot for the sale of motorized vehicles (including new or used automobiles and recreational vehicles), trailers or boats is allowed, subject to all of the following:
  1. Location. The sales lot may be located on any paved site with an existing commercial or industrial development within the C34, C35, C36, C37,

C40, M54, M56 and M58 Use Regulations, on developed commercial sites in the S87 Use Regulations or in similar areas of planned developments and specific plans where Automotive and Equipment: Sales and Rentals, Light Equipment are a permitted use. Sales lots are not allowed on vacant properties.

2. Duration. The period of operation of the temporary outdoor sales shall not exceed three consecutive days every 3 months, not to exceed 12 days in a calendar year. Facilities for the temporary sale may be set up one day prior to, and taken down one day following, the three day sales period.
3. Size. The sales lot area shall occupy only the parking spaces that are in excess of the minimum number required for the existing uses on the property and shall be located most distant from the existing commercial buildings on the property, when feasible. No handicap accessible parking spaces shall be obstructed.
4. Site Plan Modification or Minor Deviation Required. For properties that are subject to the provisions of Section 7150, a Modification or Minor Deviation to an existing Site Plan will be required for temporary outdoor sales pursuant to this subsection, unless a waiver is granted pursuant to Section 7156.
5. Additional Limitations.
  - a) The temporary outdoor sales event shall conform to all applicable provisions of state law, including all requirements of the Department of Motor Vehicles.
  - b) The sales lot area shall comply with the fire prevention standards as approved and enforced by the local Fire Protection District.
  - c) Sales of vehicle parts or accessories, food and beverages, or any other items are prohibited.

**Section 24.** Section 6814 of the Zoning Ordinance is hereby amended to read as follows:

6814            EXCEPTIONS TO ENCLOSURE MATRIX.

- a.    Exception for Barns and Greenhouses. Whenever the open enclosure is permitted by right for agricultural use types, enclosed and semi- enclosed barns and greenhouses necessary to carry on, and accessory to, the use in the open enclosure also are permitted.
- b.    Exception for Parking. The Automotive and Equipment: Parking use type is exempt from the enclosure regulations.

- c. Other Exceptions. Notwithstanding the provisions of the Enclosure Matrix (Section 68I6), semi-enclosed and open enclosures are permitted for the following uses in the zones including the following Use or Special Area Regulations.
- C32: Eating and Drinking Establishments and Food and Beverage Retail Sales (only accessory outdoor cafés that comply with Section 6158 a.1.)
- C34: Agricultural and Horticultural Sales (Plant Nursery Only)  
Eating and Drinking Establishments and Food and Beverage Retail Sales (only accessory outdoor cafés that comply with Section 6158 a.1.)  
Gasoline Sales (providing that the use complies with Section 2980 - Limitation 12)  
Retail Sales: Specialty (flower kiosks only)
- C35: Agricultural and Horticultural Sales (Plant Nursery Only)  
Eating and Drinking Establishments and Food and Beverage Retail Sales (only accessory outdoor cafés that comply with Section 6158.a.1)  
Gasoline Sales (providing that the use complies with Section 2980 – Limitation 12)  
Retail Sales: Specialty (flower kiosks only)
- C36: Agricultural and Horticultural Sales (Plant Nursery Only)  
Automotive and Equipment: Sales/Rentals, Light Equipment (providing that the use complies with Sections 6787.c and 6793.a and c.)  
Eating and Drinking Establishments and Food and Beverage Retail Sales (only accessory outdoor cafés that comply with Section 6158 a.1.)  
Food and Beverage Retail Sales (when conducted from a food sales push cart)  
Gasoline Sales (providing that the use complies with Section 2980 - Limitation 12)  
Retail Sales: Specialty (flower kiosks only and all other uses when conducted in a civic plaza)
- C37: Retail Sales: Specialty (flower kiosks only)
- C40: Retail Sales: Specialty (flower kiosks only)
- C42: Retail Sales: Specialty (flower kiosks only)
- C44: Gasoline Sales (providing that the use complies with Section 2980 - Limitation 12)
- M50: Eating and Drinking Establishments and Food and Beverage Retail Sales (only accessory outdoor cafés that comply with Section 6158

a.1., provided that the Minor Use Permit required by Section 2504 b. is obtained or amended.)

M52: Eating and Drinking Establishments (only accessory outdoor cafés that comply with Section 6158 a.1., provided that the Minor Use Permit required by Section 2524 b. is obtained or amended.)  
Gasoline Sales (providing that the use complies with Section 2980 - Limitation 12)

Scenic Areas: Agricultural and Horticultural Sales (Plant Nursery Only)  
Automotive and Equipment: Sales/Rentals, Light Equipment (providing that the use complies with Section 6787.c)  
Food and Beverage Retail Sales (when conducted from a food sales push cart)  
Gasoline Sales (providing that the use complies with Section 2980 - Limitation 12)  
Retail Sales: Specialty (flower kiosks only)

- d. Exception for Recycling Collection Facility. The Recycling Collection Facility, Small and Large use types are exempt from the enclosure regulations.
- e. Exception for the Fallbrook Village Zones. The enclosure regulations and the exceptions to the enclosure regulations are specified in the Site Development Regulations for each Fallbrook Village Zone.
- f. Open storage of boats and / or recreational vehicles may be permitted as an accessory use in connection with issuance of a major use permit for a Mini-warehouse.
- g. Exception for Certified Farmers' Market. The Certified Farmers' Market Temporary Use type is exempt from the enclosure regulations.
- h. Exception for Temporary Outdoor Sales. Temporary Outdoor Sales which are in compliance with Section 6124 are exempt from the enclosure regulations.
- i. Exception for Recycling Processing Facility, Wood and Green Materials. The Recycling Processing Facility, Wood and Green Materials Use type is exempt from the enclosure regulations (providing the use complies with Section 6706).

**Section 25.** Section 6911 is hereby added to the Zoning Ordinance, to read as follows:

**6911 EMERGENCY SHELTERS.**

Emergency Shelters (See Section 1334) shall comply with the following provisions, in addition to all other applicable County codes and any requirements imposed by the State Department of Housing and Community Development:

- a. The maximum number of clients permitted to be served (eating, showering or sleeping) nightly shall not exceed 1 per 125 sq. ft. of floor area. There shall be one bed provided for each client.
- b. Off street parking shall be provided as follows: one parking space per employee on site at the same time and one additional space for every 6 client beds or portion thereof.
- c. The client waiting and/or intake areas shall be as follows:
  1. The interior waiting/intake area for a facility with 14 or fewer beds shall be no less than 125 sq. ft. and for a facility with 15 or more beds shall be no less than 200 sq. ft. in area.
  2. The exterior waiting/intake area shall be no less than 450 sq. ft. for facilities with 14 beds or fewer. The exterior waiting/intake area shall be no less than 900 sq. ft. for facilities with 15 beds or more. Exterior waiting/intake areas shall be screened from view from surrounding properties by solid fencing of not less than 6 feet in height. Fencing shall conform to the requirements of Section 6700 et. seq.
- d. An individual or individuals who do not utilize the homeless beds and/or services and who maintain their own residence off site may be eligible as on site manager(s). Each facility shall have manager(s) present onsite 24 hours per day, 7 days per week. At a minimum, one on site manager and one supporting staff member of the same sex shall be provided in each segregated sleeping area being used.
- e. Segregated sleeping, lavatory and bathing areas shall be provided if the Emergency Shelter accommodates both men and women in the same building. Reasonable accommodation shall be made to provide segregated sleeping, lavatory and bathing areas for families.
- f. No Emergency Shelter shall be located within 300 feet of another Emergency Shelter.
- g. No client shall be allowed to stay more than 180 consecutive days or 300 overall days within any 12 month period of time.
- h. Lighting shall be provided in all parking areas, exterior intake and/or waiting areas and outside common areas. Outdoor lighting shall conform to all provisions of Section 6324 of this Zoning Ordinance and Section 59.101 and following of the San Diego County Code.
- i. Adequate security shall be provided on site during all hours of operation.
- j. For purposed of this section, "client" is defined as a person who utilizes the Emergency Shelter facilities to eat, shower or sleep but is not a staff member.

**Section 26.** Section 6970 of the Zoning Ordinance is hereby amended to read as follows:

6970 RECYCLING COLLECTION FACILITY.

The Recycling Collection Facility Use Type (as defined at Section 1512) is a permitted use in the specified ~~zones~~Use Regulations when conducted in accordance with the following:

a. Recycling Collection Facility, Small

1. In Residential ~~Zones~~Use Regulations, shall be established in accordance with Section 6158 as an accessory use in conjunction with an existing Civic Use which is in compliance with all zoning, building and fire codes and upon meeting the criteria set forth in this section commencing at subsection a.4. below;
2. In a Commercial or Industrial ~~Zone~~Use Regulations upon meeting the criteria set forth in this section commencing at subsection a.4. below;
3. In Agricultural and Special Purpose ZonesUse Regulations, upon issuance of an Administrative Permit. Said Administrative Permit shall be granted provided the criteria set forth in this section commencing at subsection a.4. below are complied with and upon a finding that there would be no adverse impact on surrounding properties;
4. Shall be set back at least 10 feet from any street line and shall not obstruct pedestrian or vehicular circulation;
5. Shall accept only glass, metals, plastic containers, papers and other recyclable materials. Clean (uncontaminated) used motor oil and oil filters may be accepted upon approval from the Department of Environmental Health;
6. In Residential ~~Zones~~Use Regulations, shall use no power-driven processing equipment except for reverse vending machines;
7. Shall use containers that are constructed of durable waterproof and rustproof material, shall be well maintained, covered when site is not attended, secured from unauthorized entry or removal of material, and shall be of a capacity sufficient to accommodate materials collected and collection schedule;
8. Shall store all recyclable material in containers or in a mobile recycling unit vehicle, and shall not leave materials outside of containers when attendant is not present;
9. Shall be maintained free of litter and any other undesirable materials; mobile facilities, where trucks or containers are removed at the end of each collection day, shall be swept at the end of each collection day;



10. Shall not exceed noise levels of 60 dBA as measured at the property line of residentially zoned or occupied property, otherwise shall not exceed 70 dBA;
11. Attended facilities located within 50 feet of property zoned or occupied for residential use shall operate only during the hours between 7:00 a.m. and 7:00 p.m., power driven equipment shall not commence operation prior to 9:00 a.m.; facilities located within 50 feet of property zoned or occupied for residential use shall be conducted within a building or screened from view by a 6 foot wall or view-obscuring fence;
12. Containers for the 24-hour donation of materials shall be at least 30 feet from any property zoned or occupied for residential use unless there is a recognized service corridor and acoustical shielding between the containers and the residential use;
13. Containers shall be clearly marked to identify the type of material which may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, and display a notice stating that no material shall be left outside the recycling enclosure or containers;
14. Signs shall comply with Section 6252 aa. of the On-Premise Sign Regulations.
15. The facility shall not impair the landscaping required by this ordinance for any concurrent use or any permit issued pursuant thereto;
16. No additional parking spaces shall be required for customers of a small recycling collection facility located at the established parking lot of a primary use. One space shall be designated for the attendant, if needed;
17. Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present;
18. Occupation of parking spaces by the facility and by the attendant may not reduce available parking spaces below the minimum number required for the primary use unless one of the following conditions exist:
  - i. The facility is located in a convenience zone or a potential convenience zone as designated by the California Department of Conservation;
  - ii. A parking study, requested and approved by the Director, shows that existing parking capacity is not already fully utilized during the time the recycling facility will be on the site;
  - iii. A reduction in available parking spaces in an established parking area may then be allowed as follows:

For a commercial primary use, 10% of the number of required parking spaces to a maximum reduction of 5 spaces.

For a community facility primary use, e.g., church or recreation center, a maximum reduction of 5 spaces may be allowed when not in conflict with parking needs of the primary use.

19. Reverse vending machines:

- i. Shall be located within 30 feet of the entrance to the commercial structure and shall not obstruct pedestrian or vehicular circulation;
- ii. Shall occupy no more than 50 square feet of floor space per each installed machine, including any protective enclosure;
- iii. Shall be clearly marked to identify the type of material to be deposited, operating instructions, and the identity and phone number of the operator or responsible person to call if the machine is inoperative;
- iv. Shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn.

b. Recycling Collection Facility, Large

1. In a Commercial or Industrial ~~Zone~~Use Regulations upon meeting the criteria set forth in this section commencing at subsection b.4. below.
2. In a Special Purpose ~~Zone~~Use Regulation upon the issuance of a Minor Use Permit and meeting the criteria set forth in this section commencing at subsection b.4. below.
3. If located within a C36 ~~Zone~~Use Regulation, a large recycling collection facility may not exceed 10,000 square feet unless a Minor Use Permit is granted authorizing a larger area. The conditions of said Minor Use Permit shall require compliance with the criteria set forth in this section commencing at subsection b.4. below;
4. May be larger than 500 square feet;
5. May accept glass, aluminum, and metal cans, plastic containers, and paper products including newspaper, cardboard, ledger and mixed grade. Other items such as metal scrap, tires, appliances and reusable items may be accepted if stored within a completely enclosed building. In the C36 ~~Zone~~Use Regulation, such a storage building shall not exceed 10,000 square feet. Clean (uncontaminated) used motor oil and oil filters may also be accepted upon approval from the Department of Environmental Health;

6. May use power-driven processing equipment in accordance with the Performance Standards commencing at Section 6300;
7. Shall be set back at least 10 feet from any street line and shall not obstruct pedestrian or vehicular circulation;
8. Shall use containers that are constructed of durable waterproof and rustproof material, shall be well maintained, covered when site is not attended, secured from unauthorized entry or removal of material, and shall be of a capacity sufficient to accommodate materials collected and collection schedule;
9. Shall store all recyclable material in containers or in a mobile recycling unit vehicle, and shall not leave materials outside of containers when attendant is not present;
10. Shall be maintained free of litter and any other undesirable materials; mobile facilities, where trucks or containers are removed at the end of each collection day, shall be swept at the end of each collection day;
11. Shall not exceed noise levels of 60 dBA as measured at the property line of residentially zoned or occupied property, otherwise shall not exceed the following:
  - 70 dBA in any Commercial ~~Zone~~Use Regulation (Except C31)
  - 55 dBA in the C31 ~~Zone~~Use Regulation
  - 75 dBA in the M54 and M58 ~~Zones~~Use Regulations;
12. Attended facilities located within 50 feet of a property zoned or occupied for residential use shall operate only during the hours between 7:00 a.m. and 7:00 p.m. power driven equipment shall not commence operation prior to 9:00 a.m.; facilities located within 50 feet of property zoned or occupied for residential use shall be conducted within a building or screened from view by a 6 foot wall or view-obscuring fence;
13. Containers for the 24-hour donation of materials shall be at least 30 feet from any property zoned or occupied for residential use unless there is a recognized service corridor and acoustical shielding between the containers and the residential use;
14. Containers shall be clearly marked to identify the type of material which may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, and display a notice stating that no material shall be left outside the recycling enclosure or containers;
15. Signs shall comply with Section 6252aa. of the On-Premise Sign Regulations.
16. The facility shall not impair the landscaping required by this ordinance for any concurrent use or any permit issued pursuant thereto;

**Section 27.** Section 7355 of the Zoning Ordinance is hereby amended to read as follows:

**7355 MAJOR USE PERMIT REVIEW IN COMMUNITY OR SUBREGIONAL PLAN AREAS WITH COMMUNITY DESIGN REVIEW PROGRAMS.**

In community or subregional plan areas with community design review programs, applications for major use permits or major use permit modifications, for the following uses, shall be referred to the appropriate Community Design Review Board for advisory design review recommendation:

Planned developments; standard mobilehome parks; mini-mobilehome parks; civic, fraternal or religious assembly; administrative services; clinic services; community recreation facilities; cultural exhibits and library services; group care; child care centers; ~~lodge, fraternal and civic assembly~~; and major impact services and utilities.

**Section 28.** Section 7386 of the Zoning Ordinance is hereby amended to read as follows:

**7386 REAPPLICATION.**

No application for the granting or modifying of a use permit which has been denied shall be filed earlier than one year after the date such denial becomes effective, unless specific permission to do so has been granted as follows:

- a. Denial by Director. If the Director has denied the use permit, permission to reapply may be granted by the Director, Planning Commission or the Board of Supervisors.
- ~~b. Denial by the Planning Environmental Review Board. If the Planning Environmental Review Board has denied the use permit, permission to reapply may be granted by the Planning Commission or the Board of Supervisors.~~
- eb. Denial by the Planning Commission. If the Planning Commission has denied the use permit, permission to reapply may be granted by the Planning Commission or the Board of Supervisors.
- dc. Denial by the Board. If the Board of Supervisors has denied the use permit, permission to reapply may be granted by the Board of Supervisors.

**Section 29.** Effective Date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the Daily Commerce, a newspaper of general circulation published in the County of San Diego.